TOWN OF SALEM
NEW HAMPSHIRE
JOINT LOSS MANAGEMENT

SAFETY PROCEDURE MANUAL
2019
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1. Forward

The Town of Salem’s Joint Loss Management Committee (JLMC) Safety Procedure Manual has been designed to protect the welfare and safety of each Town employee; to protect life, health and property, and to provide safe working conditions for all employees. The Town is committed to creating the safest environment possible and encourages all employees to take an active role to ensure their safety and the safety of coworkers.

In addition, the Procedure Manual outlines specific safety procedures to be followed as well as the fundamentals of the other safety standards having general applicability. Safety procedures are required in order to clarify and familiarize all employees with standard safety procedures essential to the safe performance of their assigned duties.

[Signatures]

Human Resources Director

Town Manager
2. Policy Statement

Every employee has the right to a workplace free from occupational safety and health hazards. A Joint Loss Management Program is designed to prevent accidents and illnesses, and is established jointly between employees and management. Unsafe act(s), unsafe condition(s) and accidents(s) all demonstrate a need for improvement. This program provides the framework for safety to be managed like any other function through planning, organization, leadership, and control. It is an established fact that a well-trained, well-disciplined and well-supervised employee in a safe and healthful environment is less likely to have an accident.

3. Program Goals

The following are the general goals of the Town’s Joint Loss Management Program. The Town of Salem, NH creates a Joint Loss Management Committee in cooperation with NH RSA #281-A:64 (Appendix A) and Town Policy. The Town’s Joint Loss Management Committee will be responsible for establishing specific program objectives based on these overall goals.

- Decrease the number of safety and health related accidents, injuries, property damage and losses throughout the Town.

- Eliminate, to the maximum extent possible, occupational and health hazards to the Town and the public employees by compelling with all current occupational safety, health, and environmental laws and regulations mandated by federal, state, and local jurisdictions, as well as seeking voluntary compliance with OSHA requirements.

- Encourage active participation of all employees in the loss prevention efforts.

- Promote increased efficiency of Town services through proven risk management and safety practices, thereby maximizing utilization of tax dollars and improving the quality of life in Salem.

Everyone shall be fully responsible for implementing the provisions of these processes within their respective jurisdictions. The responsibilities listed are a base standard and should not be construed to limit individual initiative to create and implement more comprehensive procedures to control losses and enhance workplace safety.
4. Responsibilities

4.1 **Town Manager**

The Town manager shall officially adopt the program.

The Town Manager shall:

A. Demonstrate overall support, direction and commitment. Actively participate in the process whenever possible.

B. Clearly communicate with all members of the organization, emphasize that the program is a joint effort among all parties. Active, motivated participation by each individual is critical to the program’s success.

C. Ensure that required resources are available when necessary. Resources may include, but not limited to the following:

1. Funding *(required by RSA 281-A:64)* for all safety equipment, personal protective equipment, training courses and materials.

2. Personnel, such as outside experts, loss prevention consultants and inter-departmental liaisons as necessary.

3. Time to review and respond to inspection, recommendation, investigation reports and to participate in training programs *(as required by RSA 281-A:64)*.

4. Support and encourage acceptance by everyone.

5. Other, as needed.

D. Respond, in writing, to recommendations made by the Joint Loss Management Committee *(as required by law RSA 281-A:64)*.

E. Provide training for the members of the Joint Loss Management Committee in workplace, hazard identification, accident and injury investigation adequate to carry out the committee’s responsibilities *(as required by law RSA 281-A:64)*.

F. Recommend that sub-contractors follow all appropriate safety and health standards.
4.2 Supervisory Responsibilities

Supervisors will assume the responsibility of thoroughly instructing their personnel in the safe practices to be observed in their work situations. They will consistently enforce safe standards and requirements to the utmost of their ability and authority. Supervisors will act positively to eliminate any potential hazards within the activities under their endeavors. Safety records shall be measured along with other phases of supervisor performance. Therefore, it is absolutely essential that such records be complete and accurate and that all accidents be fully reported. The principal duties of supervisors in discharging responsibilities for safety are as follows:

A. Enforce all safety regulations in effect and make employees aware that violations of safety rules will not be tolerated and may constitute cause for discipline.
B. Make sure all injuries are reported promptly and treated properly and all accidents are reported even if injury is not apparent.
C. Conduct a thorough investigation of accidents and take necessary steps to prevent recurrence through employee safety education, operating procedures or modification of equipment.
D. Provide employees with complete safety instructions regarding their duties prior to the employees assuming the duties of their position.
E. Conduct regular safety checks, including a careful examination of all new and relocated equipment before it is placed in operation.
F. Properly maintain equipment and issue instructions for the elimination of fire and safety hazards.
G. Continuously monitor and inspect for unsafe practices and condition and promptly undertake any necessary corrective actions.
H. Develop and administer an effective program of good housekeeping and maintain standards of personal and operational cleanliness throughout all operations.
I. Provide safety equipment and protective devices for each job based on knowledge of applicable standards or on the recommendation of the Joint Loss Management Committee.
J. Conduct safety briefings at organizational meetings and encourage the use of employee safety suggestions.
K. Give full support to all safety procedures, activities and programs.

NOTE: In the absence of supervisory personnel within a given department, the Department Head is responsible for the supervisor's tasks.
4.3 Employee Responsibilities

The knowledge of “Safety” is the responsibility of all employees and it is their duty to conduct their work accordingly.

Safe Work Methods

It is the duty of all employees to make full use of safeguards provided for their protection. It shall be an employee’s responsibility to abide by and preform job requirements including but not limited to:

1. An employee, as a passenger in a vehicle, maybe asked to flag a spot whenever the operator determines it is necessary while backing or turning movements that could endanger themselves, their vehicles or the public.
2. Employees must not work underneath or over other personnel without first notifying them and seeing that proper safeguards or precautions have been arranged.
3. Employees are responsible for the care and maintenance for tools and equipment in the employee’s custody and to insure that they are in the best possible condition while being used.

Leave Work Area in Safe Condition or Alert

Work areas are to be maintained in a safe condition. Before leaving a work area, employees shall correct or arrange to give warning of, any condition which might result in injury to a fellow employee or the public unfamiliar with existing conditions.

Report Unsafe Conditions

Dangerous conditions or practices observed at any time by an employee shall be corrected as appropriate and reported as soon as practical to the immediate supervisor.

Report all Accidents and Injuries

Employees shall immediately report all injuries and illness to the supervisor and complete required injury forms. Injury forms are to be forwarded along with any medical documentation to the Human Resources Department as soon as possible.
5. Joint Loss Management Committee (JLMC)

5.1 Structure

The Joint Loss Management Committee’s purpose is to bring workers and management together in a non-adversarial, cooperative effort to promote workplace safety. They have the potential to significantly improve workplace safety and productivity, enhance relations, morale and health, and provide significant financial savings in Worker's Compensation.

1. The Joint Loss Management Committee is required to have an equal number of supervisor and employee representatives.
2. Recommend a member designated by each bargaining unit, and such members as are needed to fully represent other Town employees who may not belong to a bargaining unit.
3. The committee will elect a chairperson, vice chairperson and a secretary at the first meeting of each calendar year.
4. There will be a constant and regular position of Human Resources Liaison to be filled by the Human Resources Director or Designee.
5. It’s recommended, but not required, for bargaining units rotate their representatives on a regular basis.

5.2 Meetings

The Joint Loss Management Committee (JLMC) will meet at least quarterly, with more frequent meetings at the discretion of the chairperson. The meeting place will be Town Hall, unless a member volunteers or requests a different location. A suggested agenda follow:

- Meeting called to order by chairperson
- Roll call by secretary (or member acting as secretary)
- Introduce any visitors, if applicable
- Review and approve minutes of previous meetings
- Review any agenda topics, new rules, regulations, and/or correspondence. Visitor presentation, if applicable
- Address any unfinished business
- Read and discuss any recommendations to be submitted to Town Manager/Department Heads
- Bring up any new business
- Adjourn Meeting, indicating time, date and location of the next meeting
5.3 **Duties**

The JLMC Safety Committee has the responsibility to:

- Meet at least quarterly
- Be strong advocates for the promotion of safety values, procedures, policies and programs at all levels
- Develop and distribute to all employees a committee policy statement
- Maintain clearly established goals and objectives of the committee and distribute them to all employees
- Review workplace accident and injury data to help establish the committee’s goals and objectives
- Provide an open forum for free discussion of both accident problems and preventative measures
- Establish specific safety programs which include, but are not limited to, the following:
  - Designation by name and title, of a person who shall be knowledgeable of site specific safety requirements and be accountable for the implementation and adherence
  - Provisions for health and safety inspections at least annually for hazard identification purposes
  - Performance of audits at least annually regarding findings
  - Records a means to communicate identified hazards, with recommended control measures, to the person(s) most able to implement controls i.e. Town Manager
  - Review written response to reports from responsible party of recommendations made by the committee
- During the inspections, discover unsafe conditions and practices, and determine their remedies
- Ensure that the required training and familiarization is provided for all employees so they may preform work in a safe and healthy manner
- Assist with the identification of Temporary Alternate Duty tasks (TAD)
- Keep minutes of all committee meetings
- Make minutes available to all employees
- Format of minutes should be decided by the committee. Minutes should be constructed so that they are of benefit to all employees but should be sensitive to issues that may have been discussed during the meeting
5.4 **Duties of the Chairperson**

- Schedule and preside over the Joint Loss Management Committee meetings
- Submit a safety summary to the NH Department of Labor each year
- Set up sub-committees as needed
- Act as a liaison between the Joint Loss Management Committee and the Town Manager, along with the Human Resources Liaison
- Other, as needed

5.5 **Duties of the Vice-Chairperson**

- Assist Chairperson
- Preside over meetings in the absence of the Chairperson
- Other, as needed

5.6 **Duties of the Human Resources Liaison**

- Act as liaison to Primex, etc.
- Act as Joint Liaison to Town Manager
- Report all new accidents/injuries to Committee for investigation/analysis
- Other, as needed

5.7 **Duties of the Secretary**

- Keep the minutes of each meeting, type and submit to the Chairperson for review and distribution
- If the Secretary is not available for a meeting, the Secretary will contact another Committee member to act as the Secretary for that meeting and then communicate this change to the JLMC Board Members
- Maintain historical records of committee actions, handouts, inspections, etc. All documents will be entrusted to the Secretary for safe-keeping and transferred to the newly elected Secretary at the time of elections if needed. No documents shall be destroyed without a vote from the committee
- Other, as needed

5.8 **Committee Attendance**

- Joint Loss Committee Members shall cease to hold committee membership immediately upon missing three consecutive scheduled or announced meetings of which that member received reasonable notice without being excused by the Joint Loss Management Committee Chairperson.
6. Accident Reporting and Investigation

When an accident occurs the first thing to do is to ensure that proper medical treatment is provided.

Whenever any injury, fatality, property damage, fire, equipment or vehicle accident occurs, employees must immediately notify their supervisor, after a call has been placed for emergency response if needed.

The Human Resources Department must receive information on the injury immediately.

The immediate supervisor, or other designated individual, will investigate all accidents, incidents and near misses which occur within their span of control. The purpose is to determine what happened, why it happened, and most importantly, how to prevent it from happening again. An accident investigation report must be completed if the accident is serious in nature, or had the potential to cause serious injury.

6.1 Guidelines for Conduction Investigations

Accident/Incident Investigation

- Investigate the scene as soon as practicable after the accident/incident noting conditions, location of equipment, physical objects and witnesses. Make notes, take pictures and draw sketches as needed.
- Interview witnesses soon after the accident so that facts will be fresh in their mind. Be certain that they understand that no blame is being laid—you are trying to gather and document facts to prevent recurrence.
- Interview the victim when the timing is right. Keep in mind his or her physical and emotional condition.

6.2 Supervisor’s Duties

- Department Heads will be responsible for ensuring sufficient information has been gathered accurately and the Accident and Injury Reporting Forms, as well as a detailed investigation reports are completely finished. Recommendations should be made at this time.
- Supervisors and/or Department Heads should ensure that a Workers’ Compensation Form (First Notice of Injury Form 8-WC) is filed immediately with Human Resources. This is the first notification to the Town that a job related injury or illness has been sustained and is extremely important in the prompt processing of a claim.
7. Safety Inspections

All employees have the responsibility to note physical and operational hazards and conditions in the workplace. They are expected to take appropriate actions to report and correct these observed conditions and actions.

In addition, the Joint Loss Management Committee will inspect all workplaces on at least an annual basis.

Through implementing a self-inspection program along with encouraging workers to report hazardous conditions as they are detected; The Town of Salem can work toward reducing accident frequency and cost. The Joint Loss Management Committee will conduct building inspections according to the following guidelines:

1. Determine which facilities will be inspected. While those areas that have been involved in recent accidents may be of special interest at the time, most buildings and work areas should be seen.

2. Determine who will conduct the inspections. It is suggested a minimum of 3 persons conduct and inspection and a possible sub-committee be formed. It is not necessary that this person(s) have prior work experience with inspections. A good choice would be a person who works at the facility in questions. A person knowledgeable of daily operation at that area can most effectively interpret the inspection to be used. Persons who become involved in a safety program tend to be more safety conscious themselves.

3. Develop a check list to be used. You may want to add or delete items to tailor to your specific needs. It is imperative that a written checklist be used, both to minimize the time required to assure that all critical areas will be covered and to keep a historical record.

4. Communicate with the designated inspection personnel. Each inspector should understand how the inspection process works and know what is expected form him/her.

5. Select a frequency of inspections. It is important that regular frequency be chosen and adhered to, to follow up on past identified hazards and keep the in-house inspection program part of the municipality’s active safety effort.

6. An inspection form will be completed for each inspection. The results of the inspection will be presented at the next scheduled JLMC/Safety meeting. A report and a copy of the inspection form will be submitted to the Department Head or responsible party. The Committee will make the necessary recommendations and a written response to the report will be requested from the Department Head/Designee and reviewed with the Committee. The JLMC Chairperson will also share a copy of the report(s) with the Town Manager to keep him/her aware of the findings and progress of the Committee.

7. The inspection form will be kept on file along with the minutes of the Committee.

All identified hazards should be rectified within reasonable amount of time. Checklists should be kept on file for review and comparison when looking into recurring hazard trends.
7.2 Safety and Health Communication

All safety policies and procedures and minutes will be made readily available to all employees upon request to the HR Department and a copy of this safety manual is posted on the Town’s website under the Human Resources Department. Supervisors will ensure all employees are notified of applicable safety policy changes and procedures and safety related committee activities.

The Joint Loss Management Committee’s (JLMC) meeting schedule is posted on the Town’s website under JLMC on the Human Resources Department page for employee access.

Employees are required to notify their supervisor of unsafe acts or conditions and encouraged to provide safety suggestions.
8. Employee Training & Safety Education

8.1 Safety Equipment

Many routine work assignments will require the use of certain personal protective equipment. Those items may include, but are not limited to:

- Safety Shoes
- Rain Gear
- Gloves
- Boot
- Protective Headgear
- Goggles
- Hearing Protection
- Visibility Vests
- Gas Monitoring Devices
- Welding Clothing and Shields
- Breathing Apparatus
- Special Application Tools
- Protective Clothing

Request for equipment not immediately available should be directed to the responsible supervisor. Failure to use available and required personal protective equipment is the employee’s responsibility and ignoring the requirement is grounds for disciplinary action.

8.2 Additional Safety Equipment

Other protective equipment is provided in order to protect employees from unnecessary exposures. This includes barricades, cones, warning signs, warning lights and many other specialty items. Consult with a supervisor, Department Head or lastly the municipality’s Human Resources Director for more information.

8.3 Training

Each department has the responsibility of providing on-the-job training to each employee on the topics that will enable the employee to do his/her job safely and efficiently.

In addition, specialized training must be offered in the use of tools and equipment in order to maximize the capabilities of the equipment as well as to prolong its usable life and to prevent accidents.

All employees are expected to request instruction in those tasks or for any equipment with which they are not trained in or familiar with.
8.4 Record Keeping

For all training that is provided the following information will be maintained in compliance with applicable laws:

A. Brief description of the topic
B. Date of training
C. Name and affiliation of instructor
D. List of attendees
E. Forms-indicating completion and understanding of the training by the trainees
F. Copies need to be forwarded to the Human Resources Department for placement in the employees personnel file

8.5 Fire Prevention

Fire extinguishers carried in/on Town owned vehicles or equipment shall be maintained and inspected in compliance with 29 CFR 1910.157. All Town buildings shall have at least one fire extinguisher present and all fire extinguishers in Town facilities shall be maintained and inspected in compliance with 29 CFR 1910.157 and/or the Authority Having Jurisdiction (AHJ). The use/discharge of fire extinguishers for purposes other than intended is strictly prohibited.

8.6 Fire and Emergency Plan

The safety of our employees and visitors to our premises is essential. In case of fire or other emergency situation, the following information is important:

1. Emergency evacuation drills will be held in compliance with the provisions of Fire Prevention and Life Safety Code (Ch. 11 to Ch. 42). Specific procedures may be subject to modification by the Fire Chief or his designee.
2. Evacuation during a drill or actual emergency shall be orderly and without panic. The building is equipped with a fire alarm system that will sound an audible alarm in the event of the detection of fire/smoke or can be activated manually at pull stations located throughout the building.
3. Visitors and employees are expected to cooperate fully with directions from Fire, Police and emergency response personnel.
4. Employees and visitors will treat all drills as an emergency event and act accordingly.
5. There will be an established central meeting location where all personnel will be directed to meet. This location will be at a safe distance from the building so as to “clear” the building sufficiently while not creating an obstruction for responding emergency personnel. Here the Town Manager or his designee will take a head count, compare it to the master personnel list, and report any missing persons to the emergency personnel Commander.
6. In the event municipal buildings require an immediate evacuation, employees shall assist visitors and direct them to vacate the premises to the designated meeting place. Persons unable to evacuate due to physical or other impairment
shall be assisted to an area of safety away from any immediate danger. The location of these persons shall be communicated to emergency personnel to assist in further evacuation.

7. Building floor plans showing evacuation routes shall be placed in conspicuous places throughout the building. These plans shall direct persons towards the nearest exit and to alternatives if the nearest exit is blocked. Also the location of first-aid equipment, fire extinguishers and fire alarm pull stations shall be noted.

8. Department managers are responsible for ensuring that their subordinates and visitors in the area evacuate immediately.

9. Each department manager shall develop a written plan to secure any cash, valuables, files, etc. and communicate this plan to employees in case of an emergency evacuation.

10. Every department must be knowledgeable of the whereabouts of their employees to ensure all personnel are accounted for during an evacuation to the designated meeting area.

11. **Department managers are responsible for notifying the Town Manager or his designee of any missing employees at the central meeting place.**

12. In the event of an emergency where evacuating the building will result in endangering employees or visitors (i.e. chemical spill, law enforcement incident, etc.) department managers will be notified via phone or in person by the Emergency Personnel, Town Manager, or his designee with instructions. They shall have persons in their area remain there if it is safe to do so and await further instructions.

13. A written record of each drill shall be completed in the designated Fire/Evacuation Drill Log Book by the Fire Chief or designee, and maintained in the Human Resources Department.

### 8.7 Equipment and Vehicle Maintenance

**Operator’s Responsibility**

It is the responsibility of operators to notify their supervisor of any unsafe conditions with the vehicle they are to operate.

**Supervisor’s Responsibility**

Supervisors shall remove vehicles determined to be unsafe from service, no matter how urgent the need for such vehicle. Personnel responsible for maintenance shall be notified immediately and proper repair completed before placing the vehicle back into service.
8.8  Personal
No Smoking Permitted
It is the policy of the Town of Salem to prohibit smoking in public buildings. Smoking is prohibited in all Town vehicles (refer to the Town’s Smoking Policy in the Personnel Manual).

8.9  CPR & First Aid Training
CPR & First Aid Training may be obtained from qualified personnel and is recommended on a voluntary basis.
9. Seat Belt and Use of Town Vehicles Policy

1. With the exception of emergency personnel as stated in the Town’s Personnel Policy, all Town employees are required to wear seat belts while operating or riding in any vehicle on Town business. This applies to personally owned vehicles as well as the vehicles of others.

2. Passengers in vehicles operated by Town staff while on Town business are required to wear seat belts. This requirement shall not apply in the case of vehicles in which the manufacturer does not provide seat belt capability.

3. The vehicle operator shall not move the vehicle until such a time as he/she verifies that all seat belts are being worn. This paragraph shall not apply to emergency personnel as per Policy.

4. Town employees are forbidden from disengaging or otherwise permanently disarming seat belts, including automatic seat belt systems or alarms. Town employees, upon discovering faulty seat belts, must advise their immediate supervisor for repair.

5. Ambulance attendants that are riding in the back of the ambulance are exempted from this requirement while actively performing any patient treatment function that cannot be performed while wearing a seat belt (i.e. performing cardio-pulmonary resuscitation, reaching for equipment. When the activity is completed, the seat belt shall be fastened.

6. Employees found to be violating this policy may be subject to disciplinary action.

7. While driving Town vehicles, employees are to obey all driving and traffic laws, including cell phone and electric use of devices while driving.

8. The consumption of alcohol, driving with alcohol present, being under the influence of alcohol is strictly prohibited in all town vehicles.

9. Please refer to the Town’s Personnel Manual for more in-depth information on policies.

10. Discipline Policy for Safety Violations

**Discipline Policy**

We are justifiably proud of our employees and the manner which they conduct themselves. We rely on individual good judgement and sense of responsibility. Each employee is expected to act in the appropriate manner and treat all including residents and coworkers with courtesy and respect. Please refer to the Town’s Personnel Manual regarding the complete discipline policy.

*See individual union contracts for discipline guidelines.*
11. Workers Right to Know Act

RSA:277-A, requires that employers provide employees all available information concerning the nature of toxic substances which such employees may be exposed during the course of their employment, including the suspected hazards and risk prevention measures related to these substances.

To meet these requirements, each department shall be responsible for maintaining a file of material for each toxic substance to which an employee may be exposed. This file must be available for examination and reproduction upon request. In addition, the following information for each toxic substance shall be posted in a conspicuous location as close to work area as possible.

1. The name or names of the substance
2. The acute and chronic hazards of exposure to the substance
3. Symptoms of over-exposure including known behavioral effects
4. Appropriate conditions for the safe use of and exposure to the substance
5. Procedures for cleanup of any leaks and spills of the substance
6. Procedures to be followed in case of fire or other environmental changes which would result in increasing the substances’ hazardous or toxic properties

Each department shall also be responsible for sending a copy of each Material Safety Data Sheet with details of the specific locations of each toxic substance to the Fire Department for their files, where they shall be available for public inspection.

Finally, each department is required to conduct training programs for all employees routinely exposed to toxic substance. New employees shall be instructed within a month of their hiring.

Additional help or information is available from the Human Resources Department or the Health Department.
12. ANTI-HARASSMENT AND ANTI-DISCRIMINATION POLICIES

POLICY AGAINST UNLAWFUL DISCRIMINATION AND/OR HARASSMENT

The Town prohibits harassment on the basis of any protected class, including veteran or military status, marital status, physical or mental disability, age, race, color, religion, sex, sexual orientation, pregnancy, national origin, genetic information or ancestry. Any employee who harasses another employee, citizen, or visitor on these bases will be subject to discipline, up to and including termination of employment. This policy also applies to elected and appointed officials, who face censure for violating it, including petitions for removal from office in extreme circumstances. The Town defines harassment as follows:

Verbal and/or physical conduct that denigrates or shows hostility or aversion toward an individual because of his or her race, color, sex, pregnancy, national origin, ancestry, age, religion, disability, marital status, sexual orientation or veteran status, and that (1) has the purpose or effect of creating an intimidating, hostile or offensive work environment; (2) has the purpose or effect of unreasonably interfering with an individual’s work performance; or (3) otherwise adversely affects an individual’s employment opportunities.

It is not possible to list all of the circumstances and behaviors that may constitute unlawful harassment in violation of Town policy. However, the following are some examples of conduct which may constitute harassment:

- epithets, slurs, negative stereotyping, or threatening, intimidating or hostile acts that are based on or that relate to race, color, religion, gender, national origin, ancestry, pregnancy, age, disability, sexual orientation, marital status, or veteran status; and

- written or graphic material that denigrates or shows hostility toward an individual or group because of race, color, gender, religion, marital status, pregnancy, national origin, ancestry, age, disability, sexual orientation or veteran status.

The Town prohibits all of the conduct listed above, whether engaged in by a supervisor, agent, employee, co-worker, official, or non-employee (such as a vendor) who is on our premises or who comes in contact with our employees. Any supervisor or employee who harasses or discriminates against another employee or non-employee on any basis discussed above will be subject to discipline, up to and including termination of employment.

If you experience or witness harassment and/or discrimination in violation of this policy, you should report the incident to your supervisor or the Human Resources Department. The matter will be promptly investigated and where it is determined that such inappropriate conduct has occurred, action will be taken to eliminate and correct the conduct. Employees who violate this policy will be subject to disciplinary action, up to and including termination of employment.
Retaliation against an employee or official who complains in good faith about harassment and/or discrimination or who participates in good faith in an investigation of a complaint is a violation of this policy. If you believe that you have been subjected to retaliation, you should report the incident in accordance with the reporting procedure contained in this manual. The matter will be promptly investigated and where it is determined that such inappropriate conduct has occurred, action will be taken to eliminate and correct the conduct. Employees who violate this policy will be subject to disciplinary action, up to and including termination of employment.

13. SEXUAL HARASSMENT POLICY

Introduction

The Town is committed to providing a workplace that is free of sexual harassment. Sexual harassment of employees in the workplace or in other settings in which employees may find themselves in connection with their employment is unlawful and will not be tolerated by the Town. Further, retaliation against an individual who has complained about sexual harassment and/or retaliation or who has cooperated in an investigation of sexual harassment is unlawful and will not be tolerated.

The Town will respond promptly to complaints of sexual harassment. Where it is determined that inappropriate conduct has occurred, whether or not it rises to the level of legally actionable harassment, the Town will act promptly to eliminate the conduct and implement any necessary remedial or corrective action, including disciplinary action where appropriate.

Definition of Sexual Harassment

Sexual harassment is defined as unwelcome sexual advances, requests for sexual favors, and other verbal, physical, and nonphysical conduct of a sexual nature when:

- Submission to such conduct is made explicitly or implicitly a term or condition of employment; or

- Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting that individual, or for awarding or withholding a favorable employment opportunity, evaluation or assistance; or

- Such conduct has the purpose or effect of unreasonably interfering with an individual’s performance at work, or creates an intimidating, hostile, or offensive work environment.

Sexual harassment includes a wide range of behaviors from the actual coercion of sexual relations to unwelcome offensive comments, jokes, innuendoes and other sexually oriented statements and unwelcome behavior emphasizing sexual identity. Sexual harassment may be indirect and even unintentional. Employees are prohibited from bringing into the workplace or otherwise displaying any written materials or pictures that are sexually suggestive or offensive in nature.
This policy prohibits all of the activities discussed above, whether engaged in by a supervisor, employee, co-worker, agent, official or non-employee who is on Town premises or who comes into contact with Town employees.

It is not possible to list all of the additional circumstances and behaviors that may constitute sexual harassment or other inappropriate conduct that will not be tolerated. However, the following are some examples of prohibited conduct:

- Unwelcome sexual advances, whether or not they involve physical touching;
- Sexual epithets; sexual jokes; written or oral references to sexual conduct; gossip regarding one’s sex life; comment on an individual’s body; comment about an individual’s sexual activity, deficiencies, or prowess;
- Displaying sexually suggestive objects, pictures, cartoons;
- Leering, whistling, brushing against the body;
- Sexual gestures;
- Suggestive or insulting comments;
- Inquiries into an individual’s sexual experiences; and
- Discussion of one’s sexual activities.

Complaints of Sexual Harassment

Experience has shown that a clear statement to the person engaging in the offensive behavior is sometimes all that is necessary to stop the conduct. If you believe you are being harassed, we encourage you to let the person engaging in the conduct know how you feel. However, if you do not feel comfortable taking this step, you are not required to do so. If you believe that you have been subjected to sexual harassment, you should report the incident in accordance with the reporting procedure described below. The matter will be promptly investigated and where it is determined that such inappropriate conduct has occurred, action will be taken to eliminate and correct the conduct. Employees who violate this policy will be subject to disciplinary action, up to and including termination of employment.

Retaliation

Retaliation against an employee who complains in good faith about sexual harassment or who participates in good faith in an investigation of a complaint is a violation of this policy and is prohibited by law. If you believe that you have been subjected to retaliation, you should report the incident in accordance with the reporting procedure described below.
14. REPORTING PROCEDURE FOR SEXUAL AND OTHER UNLAWFUL HARASSMENT, DISCRIMINATION AND RETALIATION

If you feel that you have experienced sexual or other unlawful harassment and/or discrimination or retaliation, you should immediately report such actions in accordance with the following procedure. All complaints will be promptly and appropriately investigated.

1. If you believe that you have experienced sexual or other unlawful harassment, discrimination or retaliation, you should report the incident immediately to your supervisor or to the Human Resources Director.

2. Supervisors and managers who become aware of any discriminatory or harassing conduct, a complaint of discrimination or harassment, or retaliation must report the conduct and/or complaint immediately to the Human Resources Director and/or the Town Manager. Failure to report instances of harassment that you are aware of as a supervisor is a violation of this policy.

3. The Town will promptly investigate incidents reported through this procedure. Any employee, supervisor, official or agent of the Town who has been found to have engaged in conduct that violates our policies against discrimination and/or harassment will be subject to appropriate remedial and/or disciplinary action, up to and including immediate termination of employment. The complainant will be informed generally of the outcome of the investigation and whether remedial action is being undertaken by the Town.

4. The Town will conduct all investigations in a discreet manner with maintaining employee privacy. Disclosure of complaints will be limited to those with a need to know in order to investigate the complaint and take appropriate remedial action.

15. WORKPLACE VIOLENCE PROHIBITED

Violence and verbal or physical threats of violence of any kind in the workplace or on Town property will not be tolerated, and employees engaging in such conduct will be subject to discipline, up to and including termination of employment. Responsive action may also include notifying the police or other law enforcement and prosecuting violators of this policy. If you become aware of any violence or threat of violence, you must immediately report the matter to your supervisor, the Department Head and the Human Resources Department.

Supervisors who receive reports of violence or threatened violence in the workplace must notify the Human Resources Department.
16. DOMESTIC VIOLENCE IN THE WORKPLACE

The Town will not tolerate acts of domestic violence perpetrated by or against any employee while in offices, facilities, work sites, or vehicles owned or controlled by the Town, or while Town business is being conducted. Acts of domestic violence include the display of any violent or threatening behavior by a perpetrator (verbal or physical) that is likely to result in physical or emotional injury or otherwise places a victim’s safety or productivity at risk.

In response to a voluntary request by an employee who is a victim of domestic violence, the Human Resources Director shall provide immediate support and assistance. This includes identifying a person to whom an employee can go to seek help and obtaining appropriate resource and referral information, including to the EAP and other available counseling.

All information relating to an employee’s involvement in a situation relating to domestic violence shall be kept confidential to the extent possible and shall not be made a part of the employee’s personnel file.

When an employee requires time off from work for medical or legal assistance, court appearances, counseling sessions related to the domestic violence, relocation or other related matters, the Town should take into consideration these factors and, to the extent possible, provide the required time off.

In cases where an employee’s work performance falls below expectations as a direct result of being a victim of domestic violence, the employee shall be encouraged to develop a workplace safety plan consistent with this policy, and shall be provided clear information about performance expectations, priorities and evaluations. If a disciplinary process is initiated, the disposition of the grievance will remain consistent with existing CBAs, statutes and Town policies.

If performance problems persist and the employee is terminated or voluntarily separates from employment, the employee shall be informed of any appeal rights, and of his or her potential rights to collect unemployment compensation. New Hampshire law states that employees voluntarily separating from employment due to domestic violence may, under certain circumstances, be eligible for unemployment compensation benefits.

The Town will hold employees accountable if they commit any act of domestic violence while using Town resources, while at any Town facility or in any Town vehicle, or misuse job-related authority in an act of domestic violence.
17. EMPLOYEE SAFETY AND HEALTH

HEALTH & SAFETY PROGRAM

It is important that we all keep safety foremost in our minds to ensure that our work environment is as safe as possible. Safety can only be achieved through teamwork. Each employee, supervisor, and official must practice safety awareness by being alert, anticipating unsafe situations, and reporting unsafe conditions immediately. Please observe the following precautions:

- Notify your supervisor of any emergency situations. If you are injured or become sick at work, no matter how slightly, you must inform your supervisor immediately.

- The use of alcoholic beverages, illegal drugs, or the abuse of legal drugs during work hours will not be tolerated. Possession of alcohol or any illegal drugs on Town property is prohibited.

- The use, adjustment, and/or repair of machines or equipment is to be performed by you only if you are trained and qualified.

- Get help when lifting or pushing heavy objects.

- Understand your job fully and follow instructions. If you are not sure of a safe procedure for performing work, ask your supervisor.

- Know locations, contents, and intended use of all first aid and firefighting equipment.

- Wear personal protective equipment as directed in accordance with the job you are performing.

- Understand and practice all safety procedures when handling, loading, or transporting hazardous materials.

- All job descriptions include keeping our facilities and lots clean and safe. Every employee must participate in this effort.

Violations of safety precautions may lead to disciplinary action, up to and including termination.
17. EMPLOYEE SAFETY AND HEALTH

HEALTH & SAFETY PROGRAM

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- Know locations, contents, and intended use of all first aid and firefighting equipment.

- Wear personal protective equipment as directed in accordance with the job you are performing.

- Understand and practice all safety procedures when handling, loading, or transporting hazardous materials.

- All employees have a responsibility in keeping our facilities and lots clean and safe. Every employee must participate in this effort.

Violations of safety precautions may lead to disciplinary action, up to and including termination.
18. Workers’ Compensation Section 281-A: Safety Statutes

The Workers’ Compensation Division administers and enforces the provisions of RSA 281-A, including the enforcement of coverage requirements for all employers, the oversight of the level of medical and wage replacement benefits to be paid to injured workers, conducts hearings on contested claims, and monitors insurance carriers and claim administrators to ensure the prompt payment of benefits and delivery of services. The Town contracts a Workers’ Compensation carrier to provide medical treatment payment and wage replacements as required under this law.

Additionally, the Town uses this written safety program as well as other policies, procedures, personal protective equipment, training and other safeguards to provide our employees with safe employment as outlined by this law.

Employees also have requirements as well as benefits under this law to include, but not limited to, promptly notifying the Town of an occupational injury or disease. Employees should follow the workers’ compensation incident reporting procedures as outlined in this safety plan, provide completed Workers’ Compensation Medical Forms, and follow the Town’s Temporary Alternative Duty Policy when applicable.

The JLMC Chairperson and Committee will document the review, update, or revision of this document at least every two years.

19. Temporary Alternative Duty: (TAD)

The Town of Salem will attempt to provide temporary alternative work opportunities to all employees temporarily disabled by injury that is work related. When an employee has been released to work by his/her treating physician or an independent medical provider with temporary restrictions/modifications to his/her regular duties, a temporary alternative duty assignment will be provided within the physician’s restrictions, when possible. For more information/guidance on TAD please contact the Human Resources Department.