5-3. Emergency Leave

A. Eligibility

Each full-time employee may be eligible for emergency leave with pay with the approval of the Town Manager for the following reasons:

1) the serious illness of a member of the employee's immediate family or guardian (The immediate family shall include the employee's spouse, partner (an individual who lives with the employee in a romantic relationship), children, parents, parents-in-law, brother, brother-in-law, sister, sister-in-law, grandchildren, grandparents, grandparents-in-law, daughter-in-law, son-in-law, and stepfamily); or [Amended 3-25-08]

2) to attend to emergency situations which require the employee's immediate attention.

Part-time employees shall be eligible for time off for the above reasons but shall not receive any compensation for the emergency leave.

B. Terms

1) Duration

Each employee may be allowed up to a maximum of fifteen (15) hours of emergency leave for one of the above reasons. If an employee wishes to extend the leave beyond the maximum fifteen (15) hours allowed, he or she will be permitted to deduct the additional days from accumulated vacation, holiday, and compensatory time off.

2) Emergency Leave Pay

All emergency leave for an eligible employee shall be on a time-off-with-pay-basis and pay shall be computed at the employee's current regular weekly salary rate (exempt) or based on 37 1/2 hours for hourly paid employees (non-exempt).

3) Benefit Accrual

While an employee is on emergency or medical leave, benefits shall continue as though on regular duty. When an employee returns from such leave, the time spent on leave shall be considered as continuous service in computing vacation and sick leave.

4) Notification

Each employee who will be absent from work on emergency leave must notify the Town Manager as soon as is reasonably possible, but in no event later than the first day of leave. The employee shall state the reason and expected duration of such absence.
A. **Eligibility**

Each full-time employee who experiences the death of a member of the employee's immediate family shall be eligible for bereavement leave from work with pay. Part-time employees shall be eligible for such leave but shall not receive any compensation for the funeral leave.

B. **Terms**

1) **Duration**

Each employee may receive funeral leave as follows:

a) Three (3) consecutive days for less than four hundred (400) miles away.

b) Five (5) consecutive days for over four hundred (400) miles away.

The immediate family shall include the employee's spouse, **partner (an individual who lives with an employee in a romantic relationship)**, children, parents, parents-in-law, brother, brother-in-law, sister, sister-in-law, guardian, grandparents, grandparents-in-law, grandchildren, daughter-in-law, and son-in-law and stepfamily. If an employee wishes to extend the leave beyond the three (3) or five (5) days allowed, he or she will be permitted to deduct the additional days from accumulated vacation, holiday, or compensatory leave. [11-27-2018]

2) **Funeral Leave Pay**

All funeral leave for eligible employees shall be on a time-off-with-pay-basis and pay shall be computed at the employee's current regular weekly salary rate (exempt) or based on 37 1/2 hours for hourly paid employees (non-exempt).

3) **Benefit Accrual**

While an employee is on funeral leave, benefits shall continue as though on regular duty. When the employee returns from such leave, the time spent on leave shall be considered as continuous service in computing vacation and sick leave.

4) **Notification**

Each employee who will be absent from work on funeral leave must notify his or her supervisor as soon as is reasonably possible, but in no event later than the first day of leave. The employee may be required to provide the supervisor with proof of death and relationship.
5-5. Holidays

A. Eligibility

The Town observes twelve and one-half (12.5) thirteen (13) holidays in recognition of certain people and events. All full-time employees are eligible for the following holidays with pay. Part-time employees shall be eligible for time off but shall not receive any compensation for the holiday.

<table>
<thead>
<tr>
<th>Holiday</th>
<th>Days</th>
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<tbody>
<tr>
<td>New Year's Day</td>
<td>1</td>
</tr>
<tr>
<td>Martin Luther King's Birthday</td>
<td>1</td>
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<tr>
<td>President's Day</td>
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<td>Good Friday</td>
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<td>Memorial Day</td>
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<td>Juneteenth</td>
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<td>Fourth of July</td>
<td>1</td>
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<tr>
<td>Labor Day</td>
<td>1</td>
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<tr>
<td>Columbus Day</td>
<td>1</td>
</tr>
</tbody>
</table>
| Sussex County Return Day (one-half day) | 1/2  | (every even year) [Amended 11-13-2012] [Amended 10-27-2016]
| Sussex County Return Day (Every Presidential Election – every 4 years) | 1/2  |
| Veteran's Day                  | 1    |
| Thanksgiving Day and the Day after | 2  |
| Christmas Day and the Day before or after | 2  |

B. Terms

1) Holiday Pay

All holidays shall be on a time-off-with-pay-basis for eligible employees and pay shall be computed at the employee's current regular salary rate (exempt) or based on hours normally scheduled (non-exempt).

2) Holiday Falling on Unscheduled Workday

When a holiday falls on a Saturday, a paid holiday is granted on a Friday. When a holiday falls on a Sunday, a paid holiday is granted on Monday.

3) Holiday Falling During Leave of Absence

Regular holidays which occur during any leave period, except unpaid leave of absence or unpaid military leave, shall not be considered as leave. If a holiday is within a scheduled leave period, the employee may take an additional day of leave to compensate for the holiday or may retain the day to be taken at a later date.

Commented [DB]: In reviewing our neighboring towns' holiday schedule, I am requesting a change as indicated. I have received the following from a few of our neighboring towns:
1. City of Rehoboth - 15 Holidays
2. Town of Georgetown - 14 Holidays
3. Town of Ocean View - 14 Holidays
4. City of Lewes - 12 Holidays
5. Town of South Bethany - 11 Holidays
6. Sussex County - 13 Holidays
7. State of DE - 13 Holidays + 2 Flooding holidays + 15

Commented [SF]: I personally agree with Return Day being a holiday on election years, as the County does. Looks like you are open on Election Day, which balances out being off Return Day.
What is Return Day?

A Sussex County Tradition.

Here is a history taken from the 2006 Return Day program:

Although the date of the first "Return Day" in Georgetown is uncertain, it could have been as early as 1791. The State Law in 1791 removing the county seat from Lewes to a new place later named Georgetown required all votes to be cast in the county seat on election day. Poor traveling conditions and interest in the outcome of the political contest may have resulted in an extended stay by voters.

Then as now, interested persons would visit the county seat to hear the announcement of the official results. In 1811, voting districts in the individual hundreds were established, but the Board of Canvassers, presided over by the Sheriff, would meet two days later in Georgetown to announce the final returns.

Naturally, the gathering of two or three thousand politicians, supporters, and curious on-lookers made for a very festive atmosphere. J. Thomas Scharf, in 1888, described "Return Day" in the History of Delaware as "one of the customs peculiar to the people of Sussex, from time immemorial, is to hold high carnival on the day when the results of a general election are announced."

By early morning, Sussex County folks from every nook and corner, and even from Maryland, could be seen coming to the county seat in almost every conceivable manner to observe "Return Day". Some walking, others on horseback, and still others in carriages, coaches, gigs, and farm wagons, drawn by ox, horse, or mule. Many of the vehicles were gaily decorated with bright colors or flags.

On most Return Days, large strips of muslin were extended from one side of the courthouse to the other in the years of Presidential elections. The names of the states that had gone one way or another were painted on the muslin with the approximate majorities.

A court bailiff would step upon the old courthouse balcony, address the hundreds of anxious politicians, supporters, and curious on-lookers who stood below him on the public square, and cry out the results of the canvass court of election.

Booths, stalls and stands were erected near the courthouse, where all kinds of edibles, such as Delaware biscuit, hot corn pone, opossum and rabbit meat, fish and oysters, could be procured.

There was a big celebration in 1936 when Franklin D. Roosevelt won in a landslide and the Democrats carried the State for the first time in many years. Return Day was cancelled altogether in 1942 because of World War II. However, it was too good an event to let die in Sussex County where traditions are important. In 1952, a group of interested citizens of both the Republican and Democrat parties joined together to revive this great tradition.
Town of Millville Personnel Policies

7) Compensation for Accrued, Unused Sick Leave
Each employee who terminates employment with the Town shall not receive any compensation for all accrued, unused sick time. [Amended 10-9-2007]

5.8-A. Paid Medical Leave

A. Eligibility
All full-time employees who have worked for the Town for at least 12 months and at least 1,250 hours, are eligible to receive paid medical leave. This paid medical leave is separate and distinct from the Family Medical Leave Act, 29 U.S.C. Chapter 28 (FMLA) and any medical leave required under state law and the Healthy Delaware Families Act, 19 Del. C. Chapter 37.

B. Terms
1) An eligible employee who requests a medical leave of absence from work for his or her own medical condition is eligible to receive one (1) week of paid medical leave for each year worked for the Town.

2) The need for a medical leave will be indicated by the employee’s medical provider, after all sick leave has been depleted.

3) A variety of degenerative diseases, chronic illnesses, neurological disorders, and physical disabilities may qualify for medical leave. The list of medical conditions is not exhaustive, and qualifying conditions vary. If a condition qualifies for FMLA, the condition qualifies for this paid medical leave policy. A few of the medical conditions that may qualify for medical leave include, but not limited to:
   - Bipolar disorder
   - Cancer
   - Chronic fatigue syndrome
   - Crohn’s disease
   - Degenerative disc disease
   - Fibromyalgia
   - HIV/AIDS
   - Lupus
   - Multiple sclerosis (MS)

4) Benefit Accrual
While an employee is on medical, benefits shall continue as though on regular duty. When the employee returns from such leave, the time spent on leave shall be considered as continuous service in computing vacation and sick leave.

5) Notification
Each employee who requests a medical leave must provide the Town Manager a written statement from the employee’s medical provider outlining the non-work-related medical conditions (illness or injury) that require medical leave for medical procedures, recuperation, etc. The employee will be responsible for checking in with the Town Manager while out on medical leave to notify him or her of the status of the employee’s leave and possible return to work date. If the Town Manager does not hear from the employee, he or she may contact the employee to discuss his or her status.

When an employee is incapable of returning to work, he or she shall notify the Town Manager at least two (2) weeks in advance and supply their medical provider’s statement clearing the employee for return to work stating any necessary work restrictions.
Town of Millville Personnel Policies

6-4. Technology and Social Media Usage and Media Communications Policy

A. Purpose

The Town recognizes the ever-increasing importance of the effective use of technology in the day-to-day operations of the Town. As the Town becomes more technologically advanced, the need for policies and procedures regulating employees' use of technology owned and operated by the Town increases. These policies and procedures are intended to establish and clarify procedures and acceptable uses of social media by the Town, as well as procedures and acceptable uses of Town-owned technology by employees. Furthermore, the Town recognizes the importance of the accurate and timely dissemination of information to media outlets and seeks to outline the appropriate channels for communicating with the media. The Town is committed to respecting each employee's right to speak as a private citizen on matters of public concern when an employee is not acting in his or her capacity as a Town employee (see Garcetti v. Ceballos, 547 U.S. 410 (2006)). The Town is establishing these policies pursuant to rulings by the U.S. Supreme Court that regulations affecting the speech of employees are justified by the need to maintain discipline among employees, create harmony amongst co-workers, protect the disclosure of confidential information, and foster appropriate relationships between subordinates and superiors (see Pickering v. Bd. of Ed. of Twp. High School Dist., 391 U.S. 563, 570 (1968)).

B. Media Communications

1. Town Manager as Official Town Spokesperson. The Town Manager shall be the official spokesperson of the Town of Millville responsible for providing official statements on behalf of the Town. Except as otherwise provided in subsection B(2), Town employees receiving inquiries from members of the media seeking interviews or official statements of the Town shall direct such inquiries to the Town Manager.

2. Interviews of Town Employees. No Town employee shall allow himself or herself to be interviewed by the media or make statements on behalf of the Town to any media representative without the consent of the Town Manager. Where an individual employee possesses unique knowledge, information, or perspective regarding a particular situation, the Town Manager may authorize an employee to make a statement or be interviewed by the media.

3. Confidential Information. In discussing sensitive Town matters including, but not limited to, litigation in which the Town is an active party or an ongoing criminal investigations or arrests, the Town Manager, and all other Town employees authorized to speak with the media shall not reveal any confidential information involving the matter at issue.

4. Right to Express Personal Opinions. All employees are authorized to speak as individual private citizens on matters of public concern. When engaged in such speech, and when it may be reasonably assumed that the speaker is an employee of the Town, the individual is required to disclose that such opinions are personal opinions and in no way represent the official position of the Town. Additionally, when engaged in speech on behalf of an entity that is not the Town, such as a trade organization, and when it may be reasonably assumed that the speaker is an employee of the Town, the individual is required to disclose that such speech does not represent the official position of the Town, but rather represents the position of the entity being represented.

5. Discipline. Employees violating these procedures may be subject to discipline as outlined in Section 6-1 of this manual.

C. Town-Owned Technology Usage.
Town of Millville Personnel Policies

1. Definition. For purposes of this policy, “Town-owned technology” includes, but is not limited to, all computer equipment and software owned or leased to the Town, “land line” telephones and cell phones paid for by the Town, websites, blogs, Facebook pages, or other social media sites hosted by the Town, internet services paid for by the Town, emails, text messages, and all information transmitted or stored through the Town’s network or equipment.

2. Prohibited Uses. Town-owned technology is provided by the Town for purposes of enhancing employee efficiency and performance in carrying out the Town’s business operations. Employees are prohibited from using Town-owned technology for any purposes not related to the Town’s business operations or the employee’s professional development (continuing education, professional associations, etc.), irrespective of whether the usage occurs before, during, or after an employee’s scheduled working hours.

3. No Privacy Expectation. Employees have no expectation of privacy, confidentiality, or ownership in Town-owned technology (i.e., emails, text messages, internet browsing history, etc.). The Town may audit Town-owned technology used by an employee based on a reasonable suspicion of a violation of this policy or based on any other legitimate work-related rationale or protocol.

D. Social Media Policy

1. Definition. For purposes of the policy, “social media” includes, but is not limited to, Facebook, Twitter, Next Door Neighbor, blogs, social networking sites, and all other media websites of a similar nature and use.

2. Use of Town Website and Social Media by Town. The Town’s website and social media sites hosted by the Town shall be maintained and updated by the Town Clerk and/or his or her designee. All information posted by the Town to the Town website or social media shall receive prior approval by the Town Manager and/or his or her designee.

3. Dissemination of Information. The Town shall use social media for the purpose of disseminating information. Social media sites hosted by the Town shall not be used to create discussion forums. All methods of allowing users to comment or post on social media sites hosted by the Town shall be disabled. The prohibition on disclosing confidential information outlined in D(2) above applies fully to the use of social media and the Town website. Wherever possible, links should direct users back to the Town’s official website for more information, forms, documents, or other services involving the Town.