

RESOLUTION NO. _____

A RESOLUTION TO MAKE AMENDMENTS TO THE EMPLOYEE MANUAL

WHEREAS, the employee manual was approved by the Commissioners of the Town of Dewey Beach, Delaware on Friday, November 19, 2021.

WHEREAS, a new section related to the Grievance Against Town Manager is desired to be added into Section 2-8 Employee Discipline, of the manual; and

WHEREAS, it is desired to strike the current language listed under 6-4 Inspections, of the manual, and add new verbiage to this Section.

NOW THEREFORE:

BE IT ENACTED AND ORDAINED, by the Commissioners of the Town of Dewey Beach, Sussex County, Delaware as follows:

2-8 Employee Discipline

Add the following language to this Section:

Grievance Against Town Manager

If an employee has a grievance with an action or decision of the Town Manager, the employee should go to their department head with the concern. If the department head feels that the grievance is something that can be worked out through discussion, then the department head will work with the Town Manager and the employee to resolve any issues. However, if the department head feels that the grievance is in reference to something that is illegal, harassment, fraud, etc., then the department head should submit a written grievance to the Mayor within five (5) business days of the concern being brought to them. The Mayor will then five (5) business days to submit the concern to the Commissioners. Within ten (10) business days the commissioners will hold a meeting where they may interview the department head and employee about the grievance. The Mayor and Commissioners will respond with their decision in writing within ten (10) business days of the meeting. The final decision of the Mayor and Commissioners shall be binding.

6-4. Inspections

~~In response to concerns about or threats to public safety, the Town of Dewey Beach reserves the right to require employees while on Town property to agree to the inspection of their persons, personal possessions and property, personal vehicles parked on Town property, and work areas. This includes lockers, vehicles, desks, cabinets, workstations, packages, handbags, backpacks and other personal possessions or places of concealment, as well as personal mail sent to the Town. Employees are expected to cooperate in the conduct of any search or inspection.~~

In conjunction with Federal Drug and Alcohol workplace regulations, workplace safety policies of the State of Delaware, and ordinances and policy directives of the Town of Dewey Beach, the Town reserves the right to inspect an employee's workplace upon a reasonable suspicion

including the employee' person, their lockers, vehicles, handbags, backpacks, other personal property; their workplace including desks, cabinets, work stations, Town vehicles, assigned Town property and equipment as well as personal mail and or packages sent or possessed on Town property.

Employees are expected to cooperate in the conduct of any search or inspection pursuant to the above referenced policies, procedures, ordinances, and directives.

A reasonable suspicion is defined as a lesser threshold than probable cause. When it exists, a supervisor can question an employee and the above referenced personal and worksite areas. A written report shall be submitted to the Town Manager by the Supervisor for any searches made upon this policy

Effective May 1, 2022

Reasonable suspicion is a lesser threshold than probable cause. If it exists, then the officer can detain, search for weapons, and question the person. If, after questioning, the person's answers are reasonable and there no longer exists reasonable suspicion, the officer has to let the person go.

This Resolution shall become effective immediately upon adoption by a majority of the Commissioners of the Town of Dewey Beach on September 16, 2022.

William Stevens, Mayor

Bill Zolper, Town Manager