CHAPTER THREE – PERSONNEL POLICIES

SUBCHAPTER 3.03 – STANDARDS OF CONDUCT

3.03.010 General Policy

(a) Employees are expected to observe the highest standards of job performance and conduct. When job performance or conduct does not meet the Town's expectations, management may, in its sole discretion, provide the employee with a reasonable opportunity to correct the deficiency.

(b) The rules set forth in this Subchapter are intended to provide employees with notice of what is expected. However, it is not possible to provide an exhaustive list of all types of impermissible conduct and performance. Therefore, the listing of prohibited acts or omissions in this Subchapter is not intended to limit the types of conduct or omissions that may lead to disciplinary action.

3.03.020 Duty of Employees, Elected Officials and Certain Independent Contractors

(a) It is the duty of each employee to obey all applicable federal and state laws, codes, and regulations and to comply with all Town ordinances, regulations and policies. An employee is subject to disciplinary action, including termination, for:

(1) Any violation of any federal or state law, code or regulation that is reasonably related to the employee's duties;

(2) Failure to comply with any ordinance, regulation, policy, or order of the Town or any provision of this Chapter;

(3) Any conduct or omission which adversely affects, is detrimental to the interests of, or may bring discredit on the Town of Colma, whether or not the conduct or omission is described in this Chapter and whether or not the conduct or omission occurs during or outside duty hours;

(4) Conviction under California or federal law of a felony or misdemeanor, which adversely affects, is detrimental to the interests of, or may bring discredit on the Town of Colma, whether or not publicized and whether the conviction is a result of plea, verdict of guilty, or a plea of *nolo contendere*; or

(5) Insubordination.

(b) It is the duty of each elected official to obey all applicable federal and state laws, codes, and regulations and to comply with all Town ordinances, regulations and policies. Each elected official is expected to comply with the provisions of Subchapters 3.03 (Standards of Conduct), 3.07 (Expense Policies) and 3.08 (Email) of this Chapter. An elected official is subject to censure and, in certain circumstances, forfeiture of office, for:

(1) Any violation of any federal or state law, code or regulation that is reasonably related to the official's duties;

(2) Failure to comply with any ordinance, regulation, policy, or order of the Town or any provision of this Subchapter;

(3) Any conduct or omission which adversely affects, is detrimental to the interests of, or brings discredit on the Town of Colma, whether or not the conduct or omission is described in this Chapter and whether or not the conduct or omission occurs during or outside duty hours; or

(4) Conviction under California or federal law of a felony or misdemeanor which adversely affects, is detrimental to the interests of, or may bring discredit on the Town of Colma, whether or not publicized and whether the conviction is a result of plea, verdict of guilty, or a plea of *nolo contendere*.

(c) Each contract with an independent contractor serving as an officer of the Town shall be deemed to include a duty to obey all applicable federal and state laws, codes, and to comply with all Town ordinances, regulations and policies. Each independent contractor serving as an officer of the Town is expected to comply with the provisions of Subchapters 3.03 (Standards of Conduct), 3.07 (Expense Policies) and 3.08 (Email) of this Chapter. Each of the following may constitute a breach of contract:

(1) Any violation of any federal or state law, code or regulation that is reasonably related to the employee's duties;

(2) Failure to comply with any ordinance, regulation, policy, or order of the Town or any provision of this Subchapter;

(3) Any conduct or omission which adversely affects, is detrimental to the interests of, or brings discredit on the Town of Colma, whether or not the conduct or omission is described in this Chapter and whether or not the conduct or omission occurs during or outside duty hours; or

(4) Conviction under California or federal law of a felony or misdemeanor which adversely affects, is detrimental to the interests of, or may bring discredit on the Town of Colma, whether or not publicized; whether the conviction is a result of plea, verdict of guilty, or a plea of *nolo contendere*.

3.03.030 Duty to Cooperate

(a) Each employee has a duty to cooperate in proceedings and investigations brought by the Town with respect to a suspected violation of any law, ordinance, regulation, code, policy or order by any employee, elected official, and/or independent contractor and to answer truthfully and completely all questions in such proceedings.

(b) Each employee is prohibited from engaging in any of the following acts or omissions:

(1) Refusal to take and subscribe to any oath or affirmation which is required by law in connection with Town employment; or

(2) Refusal to testify under oath before any court, grand jury proceeding, or administrative hearing over any then pending matter regarding any suspected misconduct or illegal action by any Town employee.

3.03.040 Dress Code

(a) Each employee shall be well groomed and dressed in a manner suitable for the public service environment and to reflect favorably on the Town's image.

(b) The City Manager may from time to time prescribe specific standards of dress in the workplace.

3.03.050 Job Performance

(a) It is the duty of each employee to maintain high standards of cooperation, efficiency and integrity in his or her work for the Town.

(b) Specifically, but without limitation, each employee is prohibited from engaging in any of the following acts or omissions:

(1) Absence without leave (absenteeism or tardiness);

(2) Failure to adhere to work schedule;

(3) Working overtime without prior approval;

(4) Neglect of duty, i.e., non-performance of assigned responsibilities;

(5) Violation of any lawful or reasonable order given by a supervisor or Department Director;

(6) Unreasonable failure or refusal to undergo any physical, medical, and/or psychiatric exam lawfully ordered by the Town;

(7) Unreliable attendance and/or tardiness;

(8) Incompetency;

(9) Inefficiency; or

(10) Willful disobedience.

3.03.060 Honesty

(a) The Town expects each employee to be honest.

(b) Specifically, but without limitation, an employee is prohibited from engaging in any of the following acts or omissions:

(1) Dishonesty;

(2) Material and intentional misrepresentation or concealment of any fact in connection with obtaining employment, appointment to any position, job assignment, or promotion; or

(3) Falsification of Town documents and/or records.

3.03.070 Respect for Persons

(a) It shall be the responsibility of employees to represent the Town to the public in a manner that shall be courteous, efficient and helpful.

(b) The Town expects each employee to act with respect to each other, his or her superiors, and the public. Each employee should always communicate with basic tact and courtesy.

(c) Specifically, but without limitation, an employee is prohibited from engaging in any of the following acts or omissions:

(1) Discourteous or disrespectful treatment of another employee or any member of the public; or

(2) Threatening or assaulting an employee or any member of the public.

3.03.080 Respect for Property

(a) The Town expects each employee to respect the property rights of others.

(b) Specifically, but without limitation, an employee is prohibited from engaging in any of the following acts or omissions:

(1) Misuse, negligent or willful damage to public property or another employee's property or waste of public supplies or equipment;

(2) Unauthorized possession or use of the property, equipment or materials of the Town or another employee; or

(3) Intentional misappropriation of funds or property of the Town, another employee, or an officer of the Town.

3.03.090 Ethics

The Town expects each employee to act in accordance with the highest standards of business ethics both on and off Town property and to avoid any appearance of impropriety. Specifically, but without limitation, employees designated by the Town's Conflict-of-Interest-Code must file Statements of Economic Interests and disqualify themselves from making, influencing or participating in decisions, as required by law.

3.03.100 Gifts, Honoraria or Travel Payments

(a) An employee shall not accept a gift, honorarium or travel payment in violation of the Political Reform Act or the Town's Conflict-of-Interest Code. (See the Town's Conflict-of-Interest Code for definitions of terms, including the terms "gift" and "honorarium.")

(b) An employee shall not solicit, accept or agree to accept from any source other than the Town, a reward, gift, or other form of remuneration for the performance of official duties.

(c) An employee shall not solicit, accept or agree to accept from any source other than the Town, a reward, gift, or other form of remuneration where the acceptance of such reward, gift or other form of remuneration gives the appearance of acceptance in exchange for influence.

3.03.110 Bribery

An employee may not ask for, receive, or agree to receive, with intent to influence the recipient, anything of value or advantage, present or prospective, upon any agreement or understanding for his or her vote, opinion, or action upon any matter then pending, or that may be brought before him or her in his or her official capacity.

3.03.120 Loans

(a) An elected official of the Town may not, from the date of his or her election to office through the date that he or she vacates office, receive a personal loan in excess of $250 from any officer, employee, member, or consultant of the State or the Town.

(b) An employee who is required to file a Statement of Economic Interests pursuant to the Town's Conflicts-of-Interest Code may not receive a personal loan in excess of $250 from any officer, employee, member, or consultant of the Town.

(c) An elected official or an employee who is required to file a Statement of Economic Interests pursuant to the Town's Conflicts-of-Interest Code may not, while serving in his or her position, receive a personal loan in excess of $250 from any person who has a contract with the Town, except for loans made by banks or other financial institutions or to any indebtedness created as part of a retail installment or credit card transaction, if the loan is made or the indebtedness created in the lender's regular course of business on terms available to members of the public without regard to the borrower's status as an elected official or employee.

(d) This section shall not apply to loans from the employee's Immediate Relative, provided that the person making the loan is not acting as an agent or intermediary for any person not otherwise exempted under this section.

(e) Nothing herein shall be construed to limit the application of Government Code section 87460.

[Reference: GOV'T CODE § 87460]

3.03.130 Conflicting or Incompatible Activities

(a) An employee shall not engage in any employment, activity, or enterprise for compensation which is inconsistent with, incompatible with, in conflict with, or inimical to his or her duties as an employee of the Town. Specifically, but without limitation, an employee may not:

(1) Use a badge, a uniform, prestige, or influence of the employee's office or employment for a private purpose, gain or advantage;

(2) Accept any money or other consideration from anyone other than the Town for the performance of an act which the employee, if not performing such act, would be required or expected to render in the regular course of his or her local agency employment or as a part of his or her duties as a local agency employee;

(3) Perform or offer to perform an act in other than his or her capacity as a Town employee, which act may later be subject directly or indirectly to the control, inspection, review, audit, or enforcement of any other employee or the Town;

(4) Use his or her time in any manner that would render performance of his or her duties as an employee less efficient; or

(5) Disclose confidential information concerning the property or affairs of the Town to advance a private interest with respect to any contract or transaction that is or may be the subject of official action of the Town.

(b) An employee shall not be eligible for appointment or election to any public office when the holding of such office would be incompatible or would substantially interfere with the discharge of official duties.

[Reference: Gov't Code § 1126]

3.03.140 Use of Equipment, Supplies and Staff Time

(a) An employee may use public resources for authorized Town business only. The use of Town funds, equipment, supplies and staff time for personal purposes or for campaign activity is prohibited, even if reimbursed.

(b) For purposes of this section:

(1) "Personal purpose" means those activities the purpose of which is for personal enjoyment, private gain or advantage, or an outside endeavor not related to Town business. "Personal purpose" does not include the incidental and minimal use of public resources, such as equipment or office space, for personal purposes, including an occasional telephone call.

(2) "Campaign activity" means an activity constituting a contribution as defined in Government Code section 82015 or an expenditure as defined in Government Code section 82025. "Campaign activity" does not include the incidental and

minimal use of public resources, such as equipment or office space, for campaign purposes, including the referral of unsolicited political mail, telephone calls, and visitors to private political entities.

(3) "Public resources" means any tangible or intangible property or asset owned by the Town, including, but not limited to, land, buildings, facilities, funds, equipment, supplies, telephones, computers, vehicles, travel, banners, flags, logos, copyrights, service marks, and Town-compensated time.

(4) "Use" means a use of public resources which is substantial enough to result in a gain or advantage to the user or a loss to the State or any local agency for which a monetary value may be estimated.

[Reference: Penal Code § 424; Gov't Code § 8314]

3.03.150 Use of Letterhead, Stationery, or Logo by an Elected Official

The following uses of Town stationery, letterhead or the Town logo by an elected official shall be deemed to be for Town business:

(1) When corresponding on a matter with respect to which the official is authorized to represent the Town; or

(2) For correspondence with members of the public, including correspondence containing informational or educational material about a matter of public interest, provided that each of the following conditions are met:

(A) The correspondence states that the opinions are those of the writer only;

(B) Nothing in the correspondence may be construed as an endorsement of any candidate; and

(C) Nothing in the correspondence may be construed as campaign material for the official.

[Reference: GOV'T CODE § 89001]

3.03.160 Discrimination, Harassment and Retaliation Prohibited

(a) The Town of Colma promotes a work environment that provides for the safety and well-being of all persons. The Town promotes a culture where each employee values and respects each other as an individual.

(b) An employee is prohibited from engaging in any of the following acts or omissions:

(1) Discrimination against qualified applicants or employees with respect to any term or condition of employment based on any Protected Characteristic;

(2) Any form of harassment based on a Protected Characteristic;

(3) Any form of harassment that creates a hostile work environment;

(4) Any retaliation against the party complaining about or any witness to discrimination or harassment.

(c) The Town will take all reasonable steps to prevent any retaliation against the complaining party or witnesses.

[Reference: GOV'T CODE §§ 12900 *et seq.*; 42 U.S.C. §§ 2000d *et seq.*; 2000e *et seq.*, 2000h, 12101-12213]

3.03.170 Harassment – Defined

(a) Harassment is any behavior related to an individual, based on a Protected Characteristic, that is unwelcome or offensive.

(b) Harassment may occur when:

(1) Such conduct affects, explicitly or implicitly, a term or condition of an individual's employment;

(2) Submission to or rejection of such conduct is the basis of employment decisions concerning an individual; or

(3) Such conduct creates an intimidating, hostile, or offensive working environment.

(c) Unwelcome or offensive behavior can be of any form or combination of a verbal, nonverbal, visual, or physical nature. Examples of harassment include, but are not limited to, the following:

(1) Offensive jokes, slurs, derogatory comments, epithets, leering, or insulting noises;

(2) Assault, threats or other acts of verbal or physical intimidation;

(3) Pictures, cartoons, objects, or written displays that are derogatory or of a degrading nature; or

(4) Withholding support or assistance for carrying out a task or assignment.

(d) Any form of harassment, including sexual harassment, is not within the course and scope of an individual's employment with the Town of Colma.

(e) Sexual harassment includes:

(1) *Verbal Harassment:* Repeated, unsolicited, derogatory comments or slurs, or continued request for social or sexual contact after being advised such is unwelcome.

(2) *Physical Harassment:* Physical interference or contact including, but not limited to assault; touching; or impeding or blocking movements.

(3) *Visual Harassment:* Derogatory posters, cartoons, or drawings, staring or leering.

(4) *Sexual Favors:* Sexual advances which condition an employment benefit in exchange for sexual favors, or which may be perceived as such.

(f) The Town does not intend to regulate or control any relationship or social interactions of employees which are freely entered into by both parties. However, the Town discourages romantic or sexual relationships between supervisors and subordinates because there is an inherent imbalance of power and potential for exploitation in such relationships; the relationships may create an appearance of impropriety and lead to charges of favoritism by other employees; and a welcome sexual relationship may change, with the result that sexual conduct that was once welcome becomes harassing.

3.03.180 Harassment – Employee's Role

(a) The following are guidelines for employees to help establish and maintain a professional and healthy working environment, while at the same time preventing harassment from occurring.

(b) Each employee should:

(1) Report any conduct believed to fit the definition of harassment to his or her supervisor, the City Manager, or the Human Resources Manager, whether the employee is the victim of or a witness to the conduct.

(2) Make it absolutely clear that he or she is not interested in or flattered by uninvited sexual advances.

(3) Never participate in behavior that can be considered provoking or offensive.

(4) Never create a hostile or offensive work environment for or retaliate against any applicant or employee because that person has opposed a practice prohibited by this policy or has filed a complaint, testified, assisted or participated in any manner in an investigation, proceedings or hearing conducted by an authorized investigator.

(5) Never condition continued Town employment or any employee benefit, including promotion or job assignment, on an applicant or employee's acquiescence to any of the behavior defined above.

(6) Never assist, commit or force any individual in doing any act which constitutes harassment.

(7) Never destroy evidence relevant to an investigation of alleged harassment.

(8) Cooperate with any investigation of any alleged act of harassment conducted by the Town or its agents.

(9) Where feasible, specifically describe to the harasser the conduct that is offensive and unwelcome and advise the harasser that the particular behavior is offensive and unwelcome and must cease immediately. Be specific in advising that person. Ask him or her to stop the behavior.

(10) Document the incident thoroughly, which should include information about dates, specific unwelcome or offensive conduct, the individual involved and witnesses.

3.03.190 Harassment – Supervisor's Role

(a) Individual supervisors are responsible to report and/or investigate harassment and sexual harassment incidents where the supervisor knows or should have known of the incident by nature of his or her supervisory position.

(b) Whether the complaining party requests formal or informal action, the supervisor must follow through, either by the formal complaint process or by verbally warning the harasser and documenting the admonishment. In any case, the supervisor should investigate the complaint and take appropriate corrective action if the complaint is substantiated.

(c) The complaining party's supervisor, as well as the Town, may be held civilly liable if swift corrective action is not taken. Any supervisor who fails to take corrective action can and will be subject to disciplinary proceedings.

(d) It is the responsibility of all supervisors to establish and maintain a working environment which is free from discriminatory intimidation, ridicule and insult.

3.03.200 Harassment – Complaints

(a) Any employee who believes that he or she has been subjected to harassment shall report the matter immediately to his or her supervisor, the Human Resources Manager, or the City Manager and shall indicate the basis of the harassment. The employee need not follow the Chain of Command.

(b) All complaints will be processed in accordance with Subchapter 3.04 of this Chapter.

(c) Any employee who is found in violation of this policy will be subject to disciplinary action.

(d) Knowingly filing a false accusation of harassment is a serious offense and is subject to disciplinary action.

3.03.210 Harassment – Retaliation

Any form of retaliation against an employee for making a complaint of harassment or serving as a witness in an investigation is prohibited and such offending persons will be subject to disciplinary action.

3.03.220 Smoking

(a) Smoking is prohibited:

(1) inside any Town building including, but not limited to, Town Hall, office building adjacent to Town Hall, the Police Station, the meeting room in the Senior Housing Complex, the Community Center, the Historical Association Museum, and the Sterling Park Recreation Center;

(2) inside any Town vehicle; and

(3) within twenty feet of the main entrance, any exit or any operable window of any Town building.

(b) "Smoke" or "smoking" as used in this section shall mean and include the smoking or carrying of any kind of lighted pipe, cigar or cigarette.

[Reference: GOV'T CODE §§ 7596-7598]

3.03.230 Substance Abuse – Prohibited Use or Possession

(a) As used in this Subchapter, a "controlled substance" means any drug or narcotic not legally obtainable under current law or any prescription drug not legally obtained or not used for prescribed purposes.

(b) The following conduct is prohibited during working hours or on Town business, will not be tolerated and will be considered a direct violation of this substance abuse policy:

(1) Illegal use, sale, distribution or possession of narcotics, drugs or controlled substances while on the job, in Town uniform, or on Town property;

(2) Conviction for the illegal use, sale, or possession of narcotics, drugs, or controlled substances while off duty or off Town property, which adversely affects, is detrimental to the interests of, or may bring discredit on the Town of Colma, whether or not publicized;

(3) Consumption of alcohol while on the job;

(4) Attendance at work or when driving or riding in a Town vehicle under the influence of alcohol or a controlled substance; or

(5) Carrying alcohol or a controlled substance on to Town property, or using alcohol or a controlled substance during work hours or on Town property or while subject to scheduled call back.

(c) Notwithstanding the foregoing subsection:

(1) An employee may drink a moderate amount of alcohol at a Town-approved function where alcohol is being served, provided that the employee is able to

perform each assigned duty at the function and the employee does not drive a motor vehicle while under the influence of alcohol;

(2) An employee may carry alcohol on to Town property or any other premises where alcohol is permitted when assigned that duty;

(3) An employee may carry an unopened container of alcohol, intended as a gift for or from another employee, on or off Town property; and

(4) A police officer may consume, possess or carry alcohol or a controlled substance in accordance with policies and procedures approved by the Chief of Police.

[Reference: HEALTH & SAFETY CODE §§ 11054-11058; 11357-11364]

3.03.240 Substance Abuse – Procedures; Testing

(a) The City Manager may order an employee to submit to a drug or alcohol test, a physical examination, and a fitness-for-duty examination when there are reasonable grounds to suspect that an employee:

(1) Has used alcohol or drugs in violation of this Subchapter;

(2) Is not fit for duty;

(3) Has operated a vehicle or equipment that was involved in an accident or vehicle collision; or

(4) Has committed an action, or failed to take an action, that has proximately caused an accident or vehicle collision (e.g., by failing to maintain the vehicle or equipment or work-site where the accident occurred).

(b) The Town may require urine, blood, or breath tests for alcohol or drug testing. The Town shall pay for the costs of all tests and medical examinations carried out under this policy.

(c) Testing must be conducted within a reasonable time period after the suspicious behavior.

(d) The Town shall maintain confidentiality of test results to the extent possible.

(e) Failure of an employee to take the test(s) may be cause for disciplinary action.

(f) If all tests are negative, there will be no loss of benefits or pay.

(g) In cases where discipline is not warranted, the City Manager, in his or her sole discretion, may grant an employee an unpaid leave of absence to attend a rehabilitation treatment program. During any such leave, the employee may be required to use accrued sick leave or Personal Leave until exhausted. The Town shall be entitled to confirm the employee's regular attendance at any such rehabilitation treatment program.

(h) The Town, the employee and the Employee's Representative, where applicable, shall work cooperatively to facilitate the resolution of problems that arise under the administration of this policy. When appropriate, the employee and the Town may enter into joint agreements that establish the form of treatment and the conditions that will be imposed for the return of an employee to the workplace.

3.03.250 Substance Abuse – Employee Assistance

(a) Through an Employee Assistance Program (EAP), the Town provides assistance for an employee with alcohol, substance abuse and other problems. An employee seeking assistance should contact the EAP provided by the Town or his or her health care provider or the Human Resources Manager. Assistance will be provided on a confidential basis.

(b) The Town will make every effort to provide reasonable accommodation to officers and employees who voluntarily come forward to seek counseling or treatment. This accommodation may take the form of time off from work, sick leave, Personal Leave or an adjusted work schedule.

3.03.260 Substance Abuse – Awareness Program

The Town desires to maintain a safe and healthy work environment for all employees. To accomplish this, the Town may provide ongoing information and educational efforts as appropriate to prevent and eliminate substance abuse that may affect the workforce.

3.03.270 Political Activities; Campaigning

(a) An employee shall not use public time, funds, property or any other instrumentality or thing of value belonging to the Town in any manner to promote or oppose any political issue or candidate, to solicit funds for any political purpose, or to influence the outcome of any election.

(b) An officer or employee shall not, while on duty, in a Town uniform, on Town property, or while in or operating any Town vehicle:

(1) Request or solicit contributions or anything of value for any political candidate or cause.

(2) Participate in any political campaign by:

(A) Speaking in favor of or against any candidate or cause;

(B) Distributing campaign literature;

(C) Picketing or demonstrating on behalf of or in opposition to any political candidate or cause;

(D) Organizing, planning or in any other way participating in the administration of any political campaign; or

(E) Displaying any badge, button, sign or sticker promoting or opposing any political cause or candidate.

[Reference: GOV'T CODE §§ 3206, 3207; LABOR CODE § 1101]

3.03.280 Lobbying Before State Legislature or Other Governmental Agency

(a) It is the duty of each employee to properly express official policies of the Town whenever testifying before, corresponding with, or lobbying legislative bodies or governmental agencies or communicating with legislators, regulators and members of their staffs. Specifically, but without limitation:

(1) The employee shall, whenever the employee's association with the Town is disclosed, clearly state that the information or testimony given represents the views of the employee and not that of the Town.

(2) The employee shall, whenever he or she gives any information or testimony that is contrary to official policies of the Town, state that the information or testimony represents the views of the employee and not that of the Town.

(b) "Lobby" or "lobbying" each mean attempting to influence the passage or defeat of any legislation on the adoption or rejection of any rule, standard, rate, or other legislative enactment that will or could have any impact on the Town.

3.03.290 Coercion or Intimidation of Public Employees

An employee of the Town shall not use his or her employment to coerce or intimidate any Town employee for the purpose, or with the effect, of:

(1) Contributing to, opposing or promoting, or refraining from contributing to, opposing or promoting any political cause or candidate;

(2) Obtaining a personal benefit or advantage for the officer or employee or a member of his or her family;

(3) Intentionally committing an unauthorized act under cover of law; or

(4) Intentionally refraining from performing a duty imposed upon the employee by law.

3.03.300 Illegal Election Activities

(a) No employee of the Town shall engage in any activity that is prohibited under state or federal law applicable to the conduct of elections.

(b) Specifically, but without limitation, an employee is prohibited from engaging in any of the following acts or omissions:

(1) Engaging in any of the following activities within 300 feet of a polling place:

(A) Electioneering;

(B) Circulating cards or handbills;

(C) Soliciting signatures;

(D) Interfering with voting or the administration of the polling place; or

(E) Conducting an exit or public opinion poll.

(2) Obstructing or preventing access to a polling place.

(3) Removing a ballot from a polling place or soliciting a voter to show his or her ballot.

(4) Attempting to intimidate, influence or bribe a voter by menace, force, threat or corrupt means.

(5) Directly or indirectly offering a bribe or reward to induce a voter to vote for or against a person, proposition, or measure.

(6) Attempting to influence a voter to vote or not to vote, directly or indirectly, by menace or corrupt means.

(7) Hindering, disturbing, persuading, threatening or intimidating any person from giving his or her vote.

(8) Knowingly and willfully making a false assertion or propagating a false report concerning a candidate that has a likelihood to prevent his or her election.

3.03.310 Soliciting Sales or Donations

(a) Except for United Way and other organizations approved by the City Manager, peddling or soliciting for sale or donation of any kind on Town property during normal working hours is not allowed.

(b) Working hours include the working time of both the employee doing the soliciting or distributing, and the employee to whom such activity is directed.

(c) Employees are free to discuss these matters before or after normal working hours and during lunch or rest periods in non-work areas.

3.03.320 Violence Prevention

(a) The Town is committed to providing a safe work environment that is free of workplace violence and making the Town of Colma a safe place. Violence or the threat of violence against or by employees or any other person is a violation of this policy. This policy explains the guidelines for dealing with intimidation, harassment, violent acts, or threats of violence that might occur during business hours or on Town property at anytime.

(b) The Town does not allow behavior at any time, including off-duty time, that threatens, intimidates, bullies, or coerces another employee, a customer, or a member of the public. Specifically, but without limitation:

(1) An employee shall not fight, play tricks on others, or behave in any way that might be dangerous or threatening to other people; and

(2) An employee may not carry, possess, or store a firearm, weapon, or other dangerous or hazardous device on Town property or while on-duty.

(c) Each employee who witnesses or is the victim of violence or observes any suspicious person or activities and any threat or act of violence:

(1) Shall immediately call the police;

(2) Shall promptly report to his or her supervisor or another member of management; and

(3) Should not put himself or herself in danger by attempting to stop it.

(d) Notwithstanding the foregoing:

(1) A peace officer may carry, possess or store firearms on Town property and may use force in accordance with policies and procedures approved by the Chief of Police; and

(2) An employee may use force in justifiable self-defense.

(e) An employee engaged in a dispute with another employee is encouraged to talk it over with his or her supervisor, the City Manager, or the Human Resources Manager.

(f) An employee who violates these policies will be subject to disciplinary action.