

TOWN OF LAKE LURE

ABC Board Regular Meeting

Monday, April 19, 2021 – 2:00 PM
Lake Lure Municipal Center



Agenda

Zoom Link: <https://us02web.zoom.us/j/86967760032>

Phone Number: 1-301-715-8592

Meeting ID: 869 6776 0032

I. Call to Order

II. Agenda Adoption

III. Conflict of Interest Statement

IV. Consent Agenda

- A. Adoption of the March 17, 2021 Special Meeting Minutes, the March 24, 2021 Reconvened Special Meeting Minutes, the March 31, 2021 Special Meeting Minutes, the April 5, 2021 Reconvened Special Meeting Minutes, and the April 8, 2021 Special Meeting Minutes

V. Unfinished Business

VI. New Business

- A. Adoption of a Resolution to Adopt a Revised ABC Board Personnel Policy and Procedure Manual

VII. Closed Session

In accordance with G.S. 143-318.11(a)(6) for the purpose of discussing personnel matters.

VIII. Adjournment



**MINUTES OF THE REGULAR MEETING OF THE LAKE LURE ABC BOARD HELD
WEDNESDAY, MARCH 17, 2021, 2:00 P.M. ELECTRONICALLY VIA ZOOM**

PRESENT: Linda Samarotto, Chairman
Bob Cassano, Board Member
MaLee Keller, Board Member
Peter O'Leary, via Zoom
Richard Sayles, Board Member\
John D'Ambra, Store Manager, via Zoom

Commissioner John Kilby, Council Liaison
William Morgan, Jr., Town Attorney
Michelle Jolley, Town Clerk

ABSENT: n/a

I. CALL TO ORDER

Chairman Samarotto called the meeting to order at 2:00 p.m.

II. AGENDA ADOPTION

Mr. Sayles made a motion to approve the agenda, as presented. Ms. Keller seconded and the motion carried 5-0.

III. CONFLICT OF INTEREST STATEMENT

There were no conflicts of interests to report.

V. CONSENT AGENDA

**A. ADOPTION OF THE FEBURARY 15, 2021 REGULAR ABC BOARD MEETING
MINUTES**

Mr. Sayles made a motion to adopt the February 15, 2021 Regular ABC Board Meeting Minutes as presented. Chairman Samarotto seconded and the motion carried 5-0.

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VI. PUBLIC COMMENT

No one from the public requested to speak at this time.

V. UNFINISHED BUSINESS:

A. DISCUSSION ON STORE MANAGER'S MEDICAL BENEFITS

There was no discussion regarding this agenda item held at this time.

V. UNFINISHED BUSINESS:

B. REVIEW AND DISCUSSION OF THE DRAFT PERSONNEL MANUAL AND CODE OF ETHICS

Board members discussed and reviewed the proposed Personnel Manual and Code of Ethics prepared by Town Attorney William Morgan. Ms. Keller noted the word "Supervisor" should be changed since the Lake Lure ABC Board does not have a Supervisor position. Store Manager John D'Ambra pointed out that the reference to "Durham County" should be changed to "Rutherford County." Attorney Morgan noted he would add a Table of Contents, make the requested changes, and bring back to the Board for review in April.

Ms. Keller made a motion to adopt the Code of Ethics the Board reviewed at the February meeting, changing references to "Durham County" to "Town of Lake Lure." Mr. Sayles seconded and the motion carried 5-0.

VII. CLOSED SESSION

Chairman Samarotto made a motion to enter into Closed Session in accordance with G.S. 143-318.11 (a)(6) for the purpose of discussing personnel matters. She further moved to invite Commissioner John Kilby into the Closed Session. Mr. Sayles seconded and the motion carried 5-0.

During Closed Session, the Board discussed personnel matters.

Chairman Samarotto made a motion to leave Closed Session and return to open session. Mr. Cassano seconded and the motion carried 5-0.

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VIII. RECESS THE MEETING

Chairman Samarotto made a motion to recess the meeting until March 24, 2021 at 10:30 a.m. at the Lake Lure Municipal Center. Mr. Cassano seconded and the motion carried 5-0.

ATTEST:

Michelle Jolley,
Town Clerk

Linda Samarotto, Chairman



MINUTES OF THE RECONVENED SPECIAL MEETING OF THE LAKE LURE ABC BOARD HELD WEDNESDAY, MARCH 24, 2021, 2:00 P.M. ELECTRONICALLY VIA ZOOM

PRESENT

Linda Samarotto, Chairman
 Bob Cassano, Board Member
 MaLee Keller, Board Member
 Peter O'Leary, via Zoom
 Richard Sayles, Board Member

Commissioner John Kilby, Council Liaison
 Michelle Jolley, Town Clerk

ABSENT: n/a

CALL TO ORDER

Chairman Samarotto called the reconvened meeting to order at 10:30 a.m. Mr. Sayles made a motion to reconvene the recessed meeting from March 17, 2021. Mr. Cassano seconded and the motion carried 5-0.

CLOSED SESSION

Mr. Sayles made a motion to reconvene the recessed Closed Session in accordance with G.S. 143-318.11 (a)(6) for the purpose of discussing personnel matters. Mr. O'Leary seconded and the motion carried 5-0. The Board invited Commissioner Kilby to join the Closed Session.

Chairman Samarotto made a motion to leave Closed Session and return to open session. Mr. Cassano seconded and the motion carried 5-0.

ADJOURN THE MEETING

Chairman Samarotto made a motion to adjourn the meeting at 12:00 p.m. Mr. Cassano seconded and the motion carried 5-0.

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ATTEST:

Michelle Jolley,
Town Clerk

Linda Samarotto, Chairman



MINUTES OF THE RECONVENED SPECIAL MEETING OF THE LAKE LURE ABC BOARD HELD MONDAY, APRIL 5, 2021, 4:00 P.M. ELECTRONICALLY VIA ZOOM

PRESENT Linda Samarotto, Chairman
VIA ZOOM: Bob Cassano, Board Member
 MaLee Keller, Board Member
 Peter O’Leary, Board Member
 Richard Sayles, Board Member

Michelle Jolley, Town Clerk

ABSENT: Commissioner John Kilby, Council Liaison

CALL TO ORDER

Mr. Sayles made a motion to reconvene the recessed meeting. Chairman Samarotto seconded and the motion carried 5-0.

NEW BUSINESS:

B. ABC STORE ACCOUNTANT CONTRACT DISCUSSION AND POSSIBLE ACTION

The Board reviewed the proposed contract from the ABC Store Accountant. Mr. Cassano noted that there’s an increase in the proposal from \$500 a month to \$1,100 a month and questioned if the Board should ask that Ms. Choi meet with the Board to define her workload now as opposed to last year. Ms. Keller stated that she compared the audit from 2019 and 2020 and pointed out that they were over budget for auditing services in 2019 by \$6,000 and over \$4,000 in 2020. The Board questioned where the additional fees came in and what they were for and agreed that Ms. Choi should attend in person to explain the additional fees. Chairman Samarotto pointed out that the Store Manager prepares the budget and presents it to the Board. The Board noted that they would like to ask Ms. Choi about the contract labor as shown listed in Ms. Choi’s proposed contract and what that entails. The Board also questioned if there would be any additional monthly fees outside of the contract amount. Chairman Samarotto mentioned that she would contact Ms. Choi to ask her these questions and would email the Board members her responses to get their thoughts.

Page 2- Minutes of the April 5, 2021 Reconvened Special ABC Board Meeting**CLOSED SESSION:**

Mr. Cassano made a motion to go into Closed Session in accordance with G.S. 143-318.11(a)(6) for the purpose of discussing personnel matters. Chairman Samarotto seconded and the motion carried 5-0.

While in Closed Session Board members reviewed the current applications for ABC Store Manager and Assistant Store Manager.

Chairman Samarotto made a motion to leave Closed Session and return to open session. Mr. O'Leary seconded and the motion carried 5-0.

Chairman Samarotto made a motion to adjourn the meeting. Mr. O'Leary seconded and the motion carried 5-0.

ATTEST:

Michelle Jolley,
Town Clerk

Linda Samarotto, Chairman



**MINUTES OF THE REGULAR MEETING OF THE LAKE LURE ABC BOARD HELD
WEDNESDAY, MARCH 17, 2021, 2:00 P.M. ELECTRONICALLY VIA ZOOM**

PRESENT Linda Samarotto, Chairman
MaLee Keller, Board Member
Peter O’Leary, Board Member
Richard Sayles, Board Member
Commissioner John Kilby, Council Liaison

ABSENT: Bob Cassano, Board Member

I. CALL TO ORDER

Chairman Samarotto called the meeting to order at 4:07 p.m.

II. AGENDA ADOPTION

Mr. Sayles made a motion to approve the Agenda, as presented. Mr. O’Leary seconded and the motion carried 5-0.

III. CLOSED SESSION

Chairman Samarotto made a motion to enter into Closed Session in accordance with G.S. 143-318.11 (a)(6) for the purpose of discussing personnel matters. Mr. Sayles seconded and the motion carried 5-0.

During Closed Session, the Board discussed the interviews that were held for the Store Manager and Assistant Store Manager positions and the applicants being considered.

Mr. Sayles made a motion to leave Closed Session and return to open session. Chairman Samarotto seconded and the motion carried 4-0.

Mr. Sayles made a motion to hire Michael Waters as the General Store Manager of the ABC Store. Chairman Samarotto seconded and the motion carried 4-0.

Chairman Samarotto noted that she spoke with Mr. Cassano prior to the meeting and he expressed his agreement with the Board members’ decision.

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Michael Waters was brought into open session and the Board offered him the Store Manager position in which he accepted. Chairman Samarotto explained that the Board would like to send him to an ABC course. The Board relayed to him their expectations. They asked that he be present during deliveries and ordering and during the busiest times and that he plan to work a 40 hour work week.

III. ADJOURN THE MEETING

Ms. Keller made a motion to adjourn the meeting at 5:02 p.m. Mr. O’Leary seconded and the motion carried 5-0.

ATTEST:

Michelle Jolley,
Town Clerk

Linda Samarotto, Chairman



**MINUTES OF THE SPECIAL MEETING OF THE LAKE LURE ABC BOARD HELD
WEDNESDAY, MARCH 31, 2021, 4:00 P.M. ELECTRONICALLY VIA ZOOM**

PRESENT Linda Samarotto, Chairman
VIA ZOOM: Bob Cassano, Board Member
 MaLee Keller, Board Member
 Peter O’Leary, Board Member
 Richard Sayles, Board Member
 Commissioner John Kilby, Council Liaison
 Debi Choi, ABC Store Accountant

ABSENT: n/a

I. CALL TO ORDER

Chairman Linda Samarotto called the meeting to order at 4:03 p.m.

II. AGENDA ADOPTION

Mr. Richard Sayles made a motion to approve the Agenda. Mr. Bob Cassano seconded and the motion carried 5-0.

There were no conflicts of interest to report.

III. NEW BUSINESS:

**A. ABC STORE OPERATIONS AND HIRING NEW PERSONNEL DISCUSSION
AND POSSIBLE ACTION**

Chairman Samarotto provided Board members copies of current applications received for the store manager and assistant store manager positions at the ABC Store. Laura Lee presented these positions to the public.

Ms. Choi noted damaged liquor should be noted as damaged bottles. She mentioned they have hand scanners available that interacts with the Boss system. When they ring up something it talks to the Boss system and takes it off of inventory. There is a scanner at the register. Mr. Cassano asked Ms. Choi about placing an order in the system and a truck arrives and he receives product, the inventory is verified through the Boss system and the inventory gets paid for accordingly. Ms.

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Choi stated that she will work to find out how they can transfer everything to one computer and only use one system, the Boss system, instead of two systems. The Board questioned if liquor ordered was tax exempt and Ms. Choi noted she'd have to look into it. She mentioned that there are two other ABC Stores that she provides accounting services for and both of those boards have manuals they follow. There is a standard operating procedure manual you can order from the State. The employee policy manual is a separate document. The standard operating manual needs to be in the Store and the employees need to be following it. She mentioned she would get the Board members copies as well as a standard operating procedure for the Store. She stated she would contact Laura Lee to get copies. Chairman Kilby noted that the employee manual has recently been constructed by the Town Attorney and will be reviewed by the Board for adoption soon. Commissioner Kilby noted that he would ask the Town Attorney to review the policy Ms. Choi provided to look over and see if anything in the document should be included in the draft policy he created. She mentioned that she has never saw anything questionable come across in the debit card purchases. It was noted that John D'Ambra used to report the financial statements at one point and the Board asked that these reports be provided again each month to be reported during the monthly meetings.

Commissioner Kilby reported that he would get the make and model of the safe tomorrow. Ms. Choi mentioned that approval for overtime for Michael and Earl paid at straight time while John was there and by law they must be paid by time and a half. She now found out that what she was told by John was not true and they really need to be paid the overtime they worked and have not yet been paid for especially if they were audited. Mr. Cassano noted we know of the one incident in November explained by Michael but in fairness we should ask the employees about this incident in November and if they remember any other time they worked over. Ms. Choi mentioned they've already signed off of the time cards but Commissioner Kilby stated that they may have signed off of the time cards the way they were instructed to which may not have been right. Mr. Cassano felt that these employees should be asked when they worked over. Commissioner Kilby recommended she write up a statement that the employees sign on the hours they worked over to put into their files. Ms. Choi agreed to take a statement about internal review of payroll and found that they were paid straight time and should've been paid time and a half. The new computer system has a way for employees to clock in and out. She stated she can start this clock in system this payroll. This system is password protected for each employee. This system has been available over a year. Ms. Choi mentioned they have the ability for direct deposit and one of the employees is very interested. However, if we go with direct deposit, she'd like to send the time to a board member to be signed off on before being issued and the Board agreed.

Ms. Choi discussed reduction and hazard pay noting that a notice must be issued that they must be notified that pay will be reduced to let them know that hazard pay is being reduced and the date it's being reduced. Commissioner Kilby felt the two employees should be given hazard pay considering they have been keeping the doors open during this past week since the other two employee's positions were terminated. He stated they are going above and beyond to help out. They are supposed to send her the Z tape of the daily and weekly sales to be recorded at the end of each day and it's been hit or miss. They are looking to get copies of the ones that are missing. Chairman Samarotto noted that a letter needs to be sent to the two terminated employees to get

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their personal items to them. She mentioned that we would ask them to provide a list of items that they have at the Store and would not allow them to go inside the Store. She stated she feels comfortable that all of her concerns were addressed.

The Board discussed the number of employees needed at the Store. Commissioner Kilby mentioned that there is a way to use a grading sheet for the applications. Ms. Choi stated that she would provide board members payroll budget for the entire year so that they have the numbers. She pointed out that it is time for the Board to start working on this upcoming budget and she would prep a document for the Board to review. Mr. O'Leary noted we have to know what budget we have in order to decide how many employees can be employed. Mr. Cassano noted the Board also has to decide how many full time employees they can afford and if they get benefits. Ms. Choi noted that Randall and Earl were allowed to choose their own health and dental policies, they pay upfront, and get reimbursed that amount. John was not yet receiving insurance. They can shop for their own policy and present it to the Board. Mr. O'Leary mentioned that this should be spelled out in the standard operating and procedures manual. The Board discussed applicants briefly. Mr. Cassano noted that he plans to put together a work schedule for employees and would speak to the current employees and would then bring back to present to the Board. Also include a schedule of orders and paying bills, etc. An outline of what needs to be done daily and weekly. Mr. O'Leary pointed out that Earl has applied for Manager and Michael for Assistant Manager. Ms. Choi noted that an inventory list can be printed off from what has been put in the Boss system and then can be compared with what's in the Store to find out where we're at. Mr. Cassano suggested meeting the employees next Monday to go over inventories to get everything up to date. Ms. Choi mentioned that inventories should be done on a cycle count once a month (spot counting a section every month so it rotates) and a full inventory count every quarter is what Laurie Lee told her. Ms. Choi asked if the Board does background checks and drug tests. Ms. Choi mentioned they do initial background checks and drug tests and do random drug tests on the current employees also.

III. NEW BUSINESS:

B. ABC STORE ACCOUNTANT CONTRACT DISCUSSION AND POSSIBLE ACTION

Mr. Cassano mentioned that we need a copy of the Contract for the Board to review to come together as a board to make a decision on that. Ms. Choi mentioned that her contract is currently expired and she would update the contract as needed and will provide back to the Board to review.

The Board agreed to recess the meeting until Monday, April 5th at 4:00 p.m. to discuss applicants during Closed Session and the Accountant's contract.

With no further business, Chairman Samarotto made a motion to recess the meeting at 5:45 p.m. Mr. Sayles seconded and the motion carried 5-0.

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ATTEST:

Michelle Jolley,
Town Clerk

Linda Samarotto, Chairman

**A RESOLUTION OF THE TOWN OF LAKE LURE, NORTH CAROLINA, ABC
BOARD TO ADOPT A REVISED PERSONNEL POLICY AND PROCEDURE MANUAL**

WHEREAS, the Lake Lure ABC Board recently determined that it was in the best interest of the Board and its employees that a comprehensive review of its personnel policy be undertaken in light of new and revised statutes, regulations and case law pertaining to public personnel, public records, and ABC laws; and,

WHEREAS, mindful of the declaration in 4 NCAC 2R.1009 (b) that: "A local board is encouraged to model its personnel policies and procedures after those adopted by the county or municipality in which it operates." 4 NCAC 2R.1009 (b);

NOW, THEREFORE, the Town of Lake Lure ABC Board resolves as follows:

Section 1. The "Town of Lake Lure Alcoholic Beverage Control Board Personnel Policy and Procedure Manual" dated _____, 2021, is hereby adopted as the personnel policy for employees of the Lake Lure ABC Board.

Section 2. All policies or resolutions and parts thereof conflicting or inconsistent with the provisions of this Resolution, including earlier versions previously adopted, are hereby repealed.

Section 3. That should any section, paragraph, sentence, or word of this Resolution be declared for any reason invalid it is the intent of the Town of Lake Lure ABC Board that such body would have passed all other portions of this Resolution independent of elimination here from of any such portion as may be declared invalid.

Section 4. This Resolution shall take effect and be in force from and after the date of its adoption.

This the _____ day of _____, 2021.

Chair, ABC Board

ATTEST:

Clerk, ABC Board

TOWN OF LAKE LURE ALCOHOLIC BEVERAGE
CONTROL BOARD PERSONNEL POLICY AND
PRCEDURE MANUAL

(Revised & readopted by Resolution dated _____, 2021)

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Lake Lure Alcohol Beverage Control Board

ABC PERSONNEL POLICY AND PROCEDURE MANUAL

Welcome new employee!

On behalf of your colleagues, I welcome you to ABC Board and wish you every success here.

We believe that each employee contributes directly to ABC Board's growth and success, and we hope you will take pride in being a member of our team.

This manual is designed to acquaint you with ABC Board and provide you with information about working conditions, employee benefits, and some of the policies affecting your employment. You should read, understand, and comply with all provisions of the manual. It describes many of your responsibilities as an employee and outlines the programs adopted by this ABC Board to benefit employees. One of our objectives is to provide a work environment that is conducive to both personal and professional growth.

No employee manual can anticipate every circumstance or question about policy. As this ABC Board continues to grow, the need may arise and the ABC Board reserves the right to revise, supplement, or rescind any policies or portion of the manual from time to time as it deems appropriate. The only exception to any changes is our employment-at-will policy permitting you or ABC Board to end our relationship for any reason at any time. Employees will, of course, be notified of such changes to the manual as they occur.

We hope that your experience here will be challenging, enjoyable, and rewarding. Again, welcome!

Sincerely,

Lake Lure Alcohol Beverage Control Board

ABC PERSONNEL POLICY AND PROCEDURE MANUAL

Employee Acknowledgement Form

The ABC Personnel Policy and Procedure Manual describes important information about ABC Board, and I understand that I should consult the Manager regarding any questions not answered in the Manual.

I have entered into my employment relationship with ABC Board voluntarily and acknowledge that there is no specified length of employment. Accordingly, either ABC Board or I can terminate the relationship at will, with or without cause, at any time, so long as there is no violation of applicable federal or state law.

Since the information, policies, and benefits described here are necessarily subject to change, I acknowledge that revisions to the Manual may occur, except to ABC Board's policy of employment-at-will. All such changes will be communicated through official notices, and I understand that revised information may supersede, modify, or eliminate existing policies. Only the ABC Board has the ability to adopt any revisions to the policies in this Manual.

Furthermore, I acknowledge that this Manual is neither a contract of employment nor a legal document. I have received the Manual, and I understand that it is my responsibility to read and comply with the policies contained in this Manual and any revisions made to it.

EMPLOYEE'S NAME (printed): _____

EMPLOYEE'S SIGNATURE: _____

DATE: _____

Lake Lure Alcohol Beverage Control Board

ABC PERSONNEL POLICY AND PROCEDURE MANUAL

Customer Relations

Customers are among our ABC Board's most valuable assets. Every employee represents this ABC Board to our customers and the public. The way we do our jobs presents an image of our entire ABC Board. Customers judge all of us by how they are treated with each employee contact. Therefore, one of our first business priorities is to assist any customer or potential customer. Nothing is more important than being courteous, friendly, helpful, and prompt in the attention you give to customers.

Customers who wish to lodge specific comments or complaints should be directed to the General Manager for appropriate action. Our personal contact with the public, our manners on the telephone, and the communications we send to customers are a reflection not only of ourselves, but also of the professionalism of the ABC Board. Positive customer relations not only enhance the public's perception or image of the Board, but also pay off in greater customer loyalty and increased sales and profit.

Nature of Employment

Employment with the ABC Board is voluntarily entered into and the employee is free to resign at will at any time, with or without cause. Similarly, the ABC Board may terminate the employment relationship at will at any time, with or without notice or cause, so long as there is no violation of applicable federal or state law.

Policies set forth in this manual are not intended to create a contract, nor are they to be construed to constitute contractual obligations of any kind or a contract of employment between the ABC Board and any of its employees. The provisions of the manual have been developed at the discretion of management and, except for its policy of employment-at-will, may be amended or cancelled at any time at the Board's sole discretion.

These provisions supersede all existing policies and practices and may not be amended or added to without the express written approval of the ABC Board.

Lake Lure Alcohol Beverage Control Board

ABC PERSONNEL POLICY AND PROCEDURE MANUAL

Employee Relations

The ABC Board believes that the work conditions, wages, and benefits it offers to its employees are competitive with those offered by other employers in this area and in this industry. If employees have concerns about work conditions or compensation, they are strongly encouraged to voice these concerns openly and directly to the Manager.

When employees deal openly and directly with supervisors, the work environment can be excellent, communications can be clear, and attitudes can be positive. We believe that the ABC Board amply demonstrates its commitment to employees by responding effectively to employee concerns.

Equal Employment Opportunity

In order to provide equal employment and advancement opportunities to all individuals, employment decisions at the ABC Board will be based on merit, qualifications, and abilities. The Board does not discriminate in employment opportunities or practices on the basis of race, color, religion, sex, national origin, age, disability, or any other characteristic protected by law.

The Board will make reasonable accommodations for qualified individuals with known disabilities unless doing so would result in an undue hardship. This policy governs all aspects of employment, including selection, job assignment, compensation, discipline, termination, and access to benefits and training.

In addition to a commitment to provide equal employment opportunities to all qualified individuals, the Board has established an affirmative action program to promote opportunities for individuals in certain protected classes throughout the ABC Board.

Any employees with questions or concerns about any type of discrimination in the workplace are encouraged to bring these issues to the attention of the Manager. Employees can raise concerns and make reports without fear of reprisal. Anyone found to be engaging in any type of unlawful discrimination will be subject to disciplinary action, up to and including termination of employment.

Lake Lure Alcohol Beverage Control Board

ABC PERSONNEL POLICY AND PROCEDURE MANUAL

Business Ethics and Conduct

The successful business operation and reputation of the ABC Board is built upon the principles of fair dealing and the ethical conduct of our employees. Our reputation for integrity and excellence requires careful observance of the spirit and letter of all applicable laws and regulations, as well as a scrupulous regard for the highest standards of conduct and personal integrity.

The continued success of the ABC Board is dependent upon our customers' trust and we are dedicated to preserving that trust. Employees owe a duty to the ABC Board, its customers, and our appointing authority to act in a way that will merit the continued trust and confidence of the public.

The ABC Board will comply with all applicable laws and regulations and expects its board members and employees to conduct business in accordance with the letter, spirit, and intent of all relevant laws and to refrain from any illegal, dishonest, or unethical conduct.

In general, the use of good judgment, based on high ethical principles, will guide you with respect to lines of acceptable conduct. If a situation arises where it is difficult to determine the proper course of action, the matter should be discussed openly with the Manager.

Compliance with this policy of business ethics and conduct is the responsibility of every ABC Board employee. Disregarding or failing to comply with this standard of business ethics and conduct could lead to disciplinary action, up to and including possible termination of employment.

The ABC Board has adopted an Ethics Policy, which is attached to this Manual as an Appendix. All Board members and employees are expected to read and follow the Ethics Policy and violations of the same is grounds for dismissal.

Conflicts of Interest

Both board members and employees have an obligation to conduct business within guidelines that prohibit actual or potential conflicts of interest. An actual or potential conflict of interest occurs when a board member or an employee is in a position to influence a decision that may result in a personal gain for that individual or for a relative as a result of ABC Board's business dealings. For the purposes of this policy, a relative is any person who is related by blood or marriage, or whose relationship with the employee is similar to that of persons who are related by blood or marriage.

No "presumption of guilt" is created by the mere existence of a relationship with outside firms. However, if employees have any influence on transactions involving purchases, contracts, or leases, it is imperative that they disclose to an officer of the ABC Board as soon as possible the existence of any actual or potential conflict of interest so that safeguards can be established to protect all parties.

Personal gain may result not only in cases where an employee or relative has a significant ownership in a firm with which the Board does business, but also when a board member, an

Lake Lure Alcohol Beverage Control Board

ABC PERSONNEL POLICY AND PROCEDURE MANUAL

employee or relative receives any kickback, bribe, gift, or special consideration as a result of any transaction or business dealings involving ABC Board.

Lake Lure Alcohol Beverage Control Board

ABC PERSONNEL POLICY AND PROCEDURE MANUAL

Personal Relationships in the Workplace

The employment of relatives or individuals involved in a dating relationship in the same area of an organization may cause serious conflicts and problems with favoritism and employee morale. In addition to claims of partiality in treatment at work, personal conflicts from outside the work environment can be carried over into day-to-day working relationships.

For purposes of this policy, a relative is any person who is related by blood or marriage, or whose relationship with the employee is similar to that of persons who are related by blood or marriage. A dating relationship is defined as a relationship that may be reasonably expected to lead to the formation of a consensual "romantic" or sexual relationship. This policy applies to all employees without regard to the gender or sexual orientation of the individuals involved.

Relatives of current employees may not occupy a position that involves working directly for or supervising their relative. Relatives of board members are prohibiting from working for the board in any capacity.

Individuals involved in a dating relationship with a current employee may not occupy a position that will involve working directly for or supervising the employee with whom they are involved in a dating relationship. The ABC Board also reserves the right to take prompt action if an actual or potential conflict of interest arises involving relatives or individuals in a dating relationship who occupy positions at any level (higher or lower) in the same line of authority that may affect the review of employment decisions.

If a relative relationship or dating relationship is established after employment between employees who are in a reporting situation described above, it is the responsibility and obligation of the employees involved in the relationship to disclose the existence of the relationship to management. Due to the size of the organization (one store) it is likely one of the employees will be asked to resign or terminated.

In other instances where a conflict or the potential for conflict arises because of the relationship between employees, even if there is no line of authority or reporting involved, the employees may be separated by reassignment or terminated from employment. Employees in a close personal relationship should refrain from public workplace displays of affection or excessive personal conversation.

Lake Lure Alcohol Beverage Control Board

ABC PERSONNEL POLICY AND PROCEDURE MANUAL

Immigration Law Compliance

The ABC Board is committed to employing only United States citizens and aliens who are authorized to work in the United States and does not unlawfully discriminate on the basis of citizenship or national origin.

In compliance with the Immigration Reform and Control Act of 1986, each new employee, as a condition of employment, must complete the Employment Eligibility Verification Form I-9 and present documentation establishing identity and employment eligibility. Former employees who are rehired must also complete the form if they have not completed an I-9 with ABC Board within the past three years, or if their previous I-9 is no longer retained or valid.

Employees with questions or seeking more information on immigration law issues are encouraged to contact the Manager. Employees may raise questions or complaints about immigration law compliance without fear of reprisal.

Fitness for Duty

It is the goal of the ABC System to provide a safe workplace for all employees. To accomplish this goal, the ABC Board has adopted the following fitness for duty policy:

- All employees are expected to be physically and mentally fit to perform their jobs in a safe manner at all times. If you are not able to perform your job or if you are taking medication that might affect your ability to do your job, you are to inform your supervisor immediately.
- If a supervisor believes you are not fit to perform your duties, one or more of the following may occur: you may be sent home, relieved of certain duties, assigned to different duties, assigned to light duty, requested to take a medical examination, or asked for an explanation which may result in being suspended without pay or termination.
- As a condition of employment, you may be requested at anytime to undergo a medical examination to determine your fitness for duty.
- Any employee who refuses to cooperate with a determination of whether he or she is fit for duty will be subject to corrective action, up to and including termination.
- If you are not fit for duty, you may be eligible for benefits, such as sick leave, worker's compensation, or group health care. If you are not able to perform some duties but can perform others; an attempt will be made to reasonably accommodate your restricted activity.
- This policy will be interpreted and applied so as to conform to applicable law, including the Americans with Disabilities Act (ADA).
- A written request for reasonable accommodation must be provided to the Manager.

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Lifting Requirements

All store and warehouse personnel must be able to lift cases weighing up to 40 pounds and use hand trucks in the performance of daily duties as well as, any bending or stooping required in normal cleaning and stocking responsibilities.

Media Relations

It is the policy of the ABC Board not to grant interviews to the media without prior approval of the Manager. This policy ensures that accurate information will be provided to the public. In the event that a member of the media contacts an employee the following procedure should be followed:

1. Any request for an interview should be referred to the Manager.
2. During the time required to contact the Manager, reporters should be told "no comment".
3. If a reporter asks or attempts to interview an employee, he/she should politely decline, explaining that the Manager must first be contacted for approval.
4. The employee should contact the Manager, providing the name of the reporter, name of the publication or branch of media, a telephone number, and the topic of interest.

Electronic Media

In keeping with the best interests of our employees, board, and customers, the ABC Board has established the following guidelines regarding electronic media:

Individuals (employees or non-employees) are not permitted to make any sound recordings, videotape recordings, or take photographs within the facility without prior authorization from management.

Employees are not permitted to make any recording or take any photographs of another employee of the Board or customer at any time unless approved by the Manager for official use.

- Only software that has been legally acquired and licensed to the ABC Board may be installed on the System's computers.
- Employees are not permitted to copy, resell, or transfer any software from the ABC Board's computers.
- Employees are permitted to utilize word processing or other computer functions including e-mail and Internet access for the business purposes only.
- The Board reserves the right to discipline, up to and including termination, any employee found to be in violation of this policy.

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Register Shortages

All store personnel are responsible for balancing their registers at shift closing. The employee must make up any shortage at shift's end. The Manager can make arrangements for signed IOU's, which allow for funds to cover the shortage until the employee makes repayment. All overages are the property of the ABC Board.

Bank Deposits

It is the policy of the ABC Board to make daily deposits unless the bank is not open for business. All weekend deposits will be made the following business day. All deposits will be placed in a Board designated location until the deposits are placed in the bank. ***Under no circumstances will an employee remove a deposit from the store unless for deposit in the ABC Board's bank account.***

Price Discrepancies

Should the circumstance arise that the price of a product when rung up at the register differs from the price on the shelf tag and the shelf tag is lower, the lower price must be honored. Keep a copy of the receipt and notify your manager of the discrepancy. Also, document the difference on your end of shift report – noting the shelf price vs. the register price.

Polygraph Examinations

If there is a shortage of funds or merchandise, the Manager or Board may require that any or all employees take a polygraph examination concerning that shortage. Refusal to take a polygraph exam when requested shall result in immediate termination.

Customer Accident/Injury

Complete a store incident report with a full description of what happened. Record witnesses' names and phone numbers. If possible, take pictures of the accident and of the area where the accident occurred. Advise injured party that we will report the incident to our insurance carrier and a representative will contact them. Report the occurrence to the Manager. ***REMEMBER: Make no comments regarding fault or liability.***

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Workplace Searches

To safeguard the property and well-being of our employees and our customers the ABC Board reserves the right to question employees (and all other persons leaving our premises), to inspect any packages, parcel, purses, handbags, brief cases, lunch boxes, or any other possessions or articles carried to and from the ABC Store property. In this connection, it should be noted that all offices, desks, files, computer software, lockers, and so forth, are property of the ABC Board, and are issued for the use of employees only during their employment with the ABC Board. Inspections may be conducted at any time at the discretion of the ABC Board's Management.

Employees working on, entering or leaving the premises who refuse to cooperate in an inspection will be subject to disciplinary action up to and including termination.

Employees who after the inspection are believed to be in possession of stolen property will also be subject to disciplinary action up to and including termination if upon investigation, they are found to be in violation of the ABC Boards rules and regulations.

Acceptance of Gifts

Board members and board employees are prohibited from knowingly accepting a gift or favor regardless of value, directly or indirectly, from a person or business entity who is seeking to do business of any kind with the board, has done business with the board in the past year, or who has a financial interest that may be substantially or materially affected by the performance or nonperformance of the board member's or employee's work.

A supervisor cannot under any circumstances accept a gift from an employee. To do so may create a situation where some employees will feel they must participate to preserve their jobs.

Access to Personnel Files

The ABC Board maintains a personnel file on each employee. The personnel file includes such information as the employee's job application, resume, records of training, documentation of performance appraisals and salary increases, and other employment records.

Personnel files are the property of the ABC Board and access to the information they contain is restricted and protected by law (See NCGS 160A-168, The Personnel Privacy Act). Generally, only the Manager and the ABC Board members who have a legitimate reason to review information in a file are allowed to do so.

Employees who wish to review their own file should contact the Manager. With reasonable advance notice, employees may review their own personnel files in the ABC Board's office and in the presence of an individual appointed by the ABC Board to maintain the files.

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Alcohol Sales Policy

North Carolina law requires a person to be at least 21 years of age to purchase or possess alcoholic beverages. Employees of this Board are prohibited from selling or giving alcoholic beverages to any person not 21 years of age. North Carolina law also prohibits the selling of alcoholic beverages to intoxicated persons. Employees of this Board are prohibited from selling alcoholic beverages to any person who displays any visible signs of intoxication.

This Board has adopted a zero tolerance policy with regard to sales to underage persons. Any employee who sells to someone underage will be terminated.

Proper Identification

Although North Carolina laws do not require that identification be checked prior to the sale of alcoholic beverages, it is the policy of this Board that any person appearing to be under the age of 30 must be asked for proper identification. An employee may ask for identification at any time independent of this policy. Proper identification includes:

- North Carolina Special Identification Card
- Driver's License (any state)
- Passport
- Military Identification Card

Checking identification provides a defense to unknowingly selling alcoholic beverages to an underage person. Accepting any other form of identification than those listed above will result in loss of this defense.

Intoxicated Patrons

It is a criminal offense to sell or give alcoholic beverages to an intoxicated person. It is the policy of this Board that employees do not sell alcoholic beverages to any person who displays visible signs of intoxication. Visible signs of intoxication include but are not limited to:

- Slurred Speech
- Glassy eyes
- Strong odor of alcohol on person
- Swaying or staggering
- Loud
- Using abusive language
- Unsteady on feet
- Harassing other customers

Although one single visible sign alone does not mean a person is intoxicated, employees shall weigh all factors in determining whether or not to sell alcoholic beverages to a potential intoxicated

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customer. It shall be the employee's sole discretion as to whether or not they sell alcohol to a patron. Supervisors shall not override an employee's decision not to sell alcohol to a patron due to impairment or the patron being underage.

Family Member's or Relative's Request

Some family members or relatives may request that an employee not sell to their spouse or relative due to medical or dependency. It shall be the policy of this Board that the following procedure be followed should a request be made:

- Inform the person that a written statement from a medical doctor must be provided to the ABC Board's General Manager in order to comply with their request.
- Explain to the person that as long as the relative is over 21 years old and not intoxicated, the patron is authorized by law and the Board to make a purchase.
- Refer any questions to the Manager

N.C.G.S. 18B-202. Discharge upon conviction

In addition to imposing any other penalty authorized by law, a judge may remove from office or discharge from employment any Commission or ***local board member or employee***, or any ALE agent, who is convicted of a violation of any provision of this Chapter or of any felony and may declare that person ineligible for membership or employment with the Commission, ***any local board***, or the ALE Division, for a period of not longer than three years. ***Conviction of a crime under this Chapter or of any felony shall also be grounds for the Commission to remove from office or discharge from employment any local board member or employee.***

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Employment Categories

It is the intent of ABC Board to clarify the definitions of employment classifications so that employees understand their employment status and benefit eligibility. These classifications do not guarantee employment for any specified period of time. Accordingly, the right to terminate the employment relationship at will at any time is retained by both the employee and ABC Board.

Each employee is designated as either NONEXEMPT or EXEMPT from federal and state wage and hour laws. NONEXEMPT employees are entitled to overtime pay under the specific provisions of federal and state laws. EXEMPT employees are excluded from specific provisions of federal and state wage and hour laws. An employee's EXEMPT or NONEXEMPT classification may be changed only upon written notification by ABC Board management.

In addition to the above categories, each employee will belong to one other employment category:

REGULAR FULL-TIME employees are those who are not in a temporary or introductory status and who are regularly scheduled to work a full-time schedule which is defined as 40 hours per week. Generally, they are eligible for ABC Board's benefit package, subject to the terms, conditions, and limitations of each benefit program.

PART-TIME employees are those who are not assigned to a temporary or introductory status and who are regularly scheduled to work no more than 20 hours per week. While they do receive all legally mandated benefits (such as Social Security and workers' compensation insurance), they are not eligible for all of the ABC Board's other benefit programs.

INTRODUCTORY or **PROBATIONARY** employees are those whose performance is being evaluated to determine whether further employment in a specific position or with the ABC Board is appropriate. Employees who satisfactorily complete the introductory period will be notified of their new employment classification.

TEMPORARY employees are those who are hired as interim replacements, to temporarily supplement the work force, or to assist in the completion of a specific project. Employment assignments in this category are of a limited duration. Employment beyond any initially stated period does not in any way imply a change in employment status. Temporary employees retain that status unless and until notified of a change. While temporary employees receive all legally mandated benefits (such as workers' compensation insurance and Social Security), they are not eligible for any of the ABC Board's other benefit programs.

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Introductory (Probationary) Period

The introductory period is intended to give new employees the opportunity to demonstrate their ability to achieve a satisfactory level of performance and to determine whether the new position meets their expectations. The ABC Board uses this period to evaluate employee capabilities, work habits, and overall performance. Either the employee or the Board may end the employment relationship at will at any time during or after the introductory period, with or without cause or advance notice.

All new and rehired employees work on an introductory basis for the first 90 calendar days after their date of hire. Any significant absence will automatically extend an introductory period by the length of the absence. If the Board determines that the designated introductory period does not allow sufficient time to thoroughly evaluate the employee's performance, the introductory period may be extended for a specified period.

Upon satisfactory completion of the introductory period, employees enter the "regular" employment classification.

During the introductory period, new employees are eligible for those benefits that are required by law, such as workers' compensation insurance and Social Security. They may also be eligible for other ABC Board-provided benefits, subject to the terms and conditions of each benefits program. Employees should read the information for each specific benefits program for the details on eligibility requirements.

Store Manager

The Board shall appoint a Store Manager who shall serve at the pleasure of the Board. The Store Manager performs administrative, supervisory, and clerical work in directing sales and stock control activities in the ABC Store. The Manager is responsible for overall operations at the ABC Store, including sales, store maintenance, merchandise and cash accounting, maintenance of records, and related functions. Judgment and initiative are required in planning and executing details or work within a framework of policy limitations. Considerable tact and courtesy are required in dealing with the public. Work is performed under general direction of the ABC Board and is evaluated by observation, review of reports, and overall effectiveness of operations. The Store Manager is primarily accountable and responsible for any shortage of stock or money in the ABC Store.

Examples of work are directions of sales and stock control activities of an ABC store. Instructs store personnel in proper performance of their duties; receives and transmits orders and directions from the ABC Board. Evaluates employees of the Store. Observes merchandise to prevent shoplifting. Supervises and participates in waiting on customers, receiving merchandise, maintaining necessary stock and cash accounting records routine maintenance activities, and taking periodic special reports covering sales, stock on hand, receipts of merchandise, cash receipts, and other pertinent information. Takes orders, checks code number and unit price of merchandise; enforces regulations against selling to minors or intoxicated persons and against selling more than the legal allowed quantity to any one person. Requisitions merchandise and supplies as needed. Determines work assignments and schedules of employees under his/her supervision; recommends for approval or non-approval all types of leave for employees, such as vacation, sick leave, funeral leave, leave

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without pay, etc.

Abilities needed are thorough knowledge of stock handling, inventory control methods and procedures, rules and regulations governing operation of the ABC Store. Ability to plan, assign, and supervise subordinates. Exercise sound judgment in appraising situations and making decisions. Ability to maintain records, prepare related reports in a timely manner as required, deal tactfully and courteously with the public and maintain effective working relationships with employees.

The Store Manager is also the General Manager and Budget Officer, and is responsible for paying all bills, signing all checks (along with the designated Board member or Town Finance Officer), and presenting a budget to the ABC Board in a timely manner. Annual fiscal year budgets must be adopted by July 1st.

Employment Applications

The ABC Board relies upon the accuracy of information contained in the employment application, as well as the accuracy of other data presented throughout the hiring process and employment. Any misrepresentations, falsifications, or material omissions in any of this information or data may result in the exclusion of the individual from further consideration for employment or, if the person has been hired, termination of employment.

In processing employment applications, ABC Board may obtain a consumer credit report for employment purposes only concerning credit worthiness, credit standing, and credit capacity. If ABC Board takes an adverse employment action based in whole or in part on the consumer credit report, a copy of the report and a summary of your rights under the Fair Credit Reporting Act will be provided as well as any other documents required by law.

To ensure that individuals who apply for employment are well-qualified and have a strong potential to be productive and successful, it is the policy of this ABC Board to check the employment references of all applicants.

The Manager will respond to all reference check inquiries from other employers. Responses to such inquiries will confirm only dates of employment, wage rates, and position(s) held. No employment data will be released without a written authorization and release signed by the individual who is the subject of the inquiry.

Personnel Data Changes

It is the responsibility of each employee to promptly notify ABC Board of any changes in personnel data. Personal mailing addresses, telephone numbers, number and names of dependents, individuals to be contacted in the event of an emergency, educational accomplishments, and other such status reports should be accurate and current at all times. If any personnel data has changed, notify the Supervisor.

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Performance Evaluation

Supervisors and employees are strongly encouraged to discuss job performance and goals on an informal, day-to-day basis. Formal performance evaluations are conducted at the end of an employee's initial period in any new position. This period, known as the introductory probationary period, allows the supervisor and the employee to discuss the job responsibilities, standards, and performance requirements of the new position. Additional formal performance evaluations are conducted, typically in December of each year, to provide both supervisors and employees the opportunity to discuss job tasks, identify and correct weaknesses, encourage and recognize strengths, and discuss positive, purposeful approaches for meeting goals.

The ABC Board may choose to fund and award merit-based pay adjustments in an effort to recognize truly superior employee performance. The decision to award such an adjustment is dependent upon numerous factors, including the information documented by this formal performance evaluation process, attendance and attitude.

Salary Administration

The salary administration program was created to achieve consistent pay practices, comply with federal and state laws, mirror our commitment to Equal Employment Opportunity, and offer competitive salaries within our labor market. Because recruiting and retaining talented employees is critical to our success, the ABC Board is committed to paying its employees equitable wages that reflect the requirements and responsibilities of their positions and are comparable to the pay received by similarly situated employees in other organizations in the area.

Compensation for every position is determined by several factors, including job analysis and evaluation, the essential duties and responsibilities of the job, and salary survey data on pay practices of other employers. The Board periodically reviews its salary administration program and restructures it as necessary.

Employees should bring their pay-related questions or concerns to the attention of the Manager, who is responsible for the fair administration of departmental pay practices. The Manager is also available to answer specific questions about the salary administration program.

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Employee Benefits

Eligible employees are provided certain benefits. A number of the programs (such as social security, workers' compensation, state disability, and unemployment insurance) cover all employees in the manner prescribed by law.

Benefits eligibility is dependent upon a variety of factors, including employee classification. The Manager can identify the programs for which you are eligible.

The following benefit programs are available to eligible employees:

- * Bereavement Leave
- * Dental Insurance
- * Family Leave
- * Holidays
- * Medical Insurance
- * Military Leave
- * Pension Plan
- * Sick Leave Benefits
- * Vacation Benefits
- * Witness Duty Leave

Some benefit programs require contributions from employees, and some are fully paid by the Board.

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Vacation Benefits

Vacation time off with pay is available to eligible employees to provide opportunities for rest, relaxation, and personal pursuits. Employees in the following employment classification(s) are eligible to earn and use vacation time as described in this policy:

- * Regular full-time employees

Each regular, full-time employee shall earn vacation at the following rate:

Years of Service	Total Days Per Year
0 - 1	06
2-5	12
6 - 19	15
20 +	20

Earned, but unused, vacation cannot be carried forward to the next calendar year. There is a six-month probationary period for new hires before vacation can be accrued. Persons who are hired on or before the fifteenth (15th) of the month start their probationary period that month; and those hired after the fifteenth (15th) of the month, start their probationary period on the first of the following month. All vacation must be taken by the last week of November each year. Vacations are scheduled on a first come, first served basis. The manager must approve your request prior to you scheduling your vacation. More than one person cannot take vacation at the same time. The Board must approve any deviation or change of this policy for unusual circumstances.

An employee's benefit year may be extended for any significant leave of absence except military leave of absence. Military leave has no effect on this calculation. (See individual leave of absence policies for more information.)

Once employees enter an eligible employment classification, they begin to earn paid vacation time according to the schedule. They can request use of vacation time after it is earned.

Paid vacation time can be used in minimum increments of one hour. To take vacation, employees should request advance approval from the Manager. Requests will be reviewed based on a number of factors, including business needs and staffing requirements.

Vacation time off is paid at the employee's base pay rate at the time of vacation. It does not include overtime or any special forms of compensation such as incentives, commissions, bonuses, or shift differentials.

Upon termination of employment, employees will be paid for unused vacation time that has been earned through the last day of work.

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Holidays

The ABC store is closed on the holidays listed below:

New Year's Day (January 1)
Memorial Day
Independence Day (July 4)
Labor Day (first Monday in September)
Thanksgiving (fourth Thursday in November)
Christmas (December 25)

The Board will grant paid holiday time off to all eligible employees who have completed 90 calendar days of service in an eligible employment classification. Holiday pay will be calculated based on the employee's straight-time pay rate (as of the date of the holiday) times the number of hours the employee would otherwise have worked on that day. Eligible employee classification(s):

* Regular full-time employees

To be eligible for holiday pay, employees must work the last scheduled day immediately preceding and the first scheduled day immediately following the holiday.

If a recognized holiday falls during an eligible employee's paid absence (such as vacation or sick leave), holiday pay will be provided instead of the paid time off benefit that would otherwise have applied.

If eligible nonexempt employees work on a recognized holiday, they will receive holiday pay plus wages at their straight-time rate for the hours worked on the holiday.

Paid time off for holidays will not be counted as hours worked for the purposes of determining overtime.

Moonlighting (Outside Employment)

The ABC Board has no desire to regulate what an employee does with his/her time outside of working hours. However, the ABC Board shall consider employment at the ABC System, if such is on a full-time basis, to be an employee's primary employment and will, therefore, not tolerate any outside employment that involves a conflict of interest, interferes with, or hinders the employee's performance at the ABC System. Conflicting outside employment shall be grounds for dismissal. You may not work for the ABC Board and at the same time be employed by or have any direct or indirect interest in any distillery or other business involving the sale of alcohol, malt, or brewed beverages. No special arrangements can be made with regard to such things as work schedules to accommodate non-ABC business.

The determination of whether the employee's outside employment conflicts or interferes with job performance at the ABC System shall be within the sole discretion of the Manager.

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Workers' Compensation Insurance

The ABC Board provides a comprehensive workers' compensation insurance program at no cost to employees. This program covers any injury or illness sustained in the course of employment that requires medical, surgical, or hospital treatment. Subject to applicable legal requirements, workers' compensation insurance provides benefits after a short waiting period or, if the employee is hospitalized, immediately.

Employees who sustain work-related injuries or illnesses should inform the Manager immediately. No matter how minor an on-the-job injury may appear, it is important that it be reported immediately. This will enable an eligible employee to qualify for coverage as quickly as possible.

Neither the ABC Board nor the insurance carrier will be liable for the payment of workers' compensation benefits for injuries that occur during an employee's voluntary participation in any off-duty recreational, social, or athletic activity sponsored by ABC Board.

Sick Leave Benefits

ABC Board provides paid sick leave benefits to all regular full-time employees for periods of temporary absence due to illness or injury.

Sick leave is a privilege. Sick leave with pay is not a right that an employee may demand, but a privilege granted by the Board. An employee may be granted sick leave if the absence is due to sickness, bodily injury, quarantine, required physical or dental examination, exposure to a contagious disease when continued work might jeopardize the health of others, or illness in the employee's family which requires the care of the employee.

Sick Leave Earned

Each regular, full-time employee, at the successful completion of the six-month probationary period, shall earn sick leave at the rate of one day per full calendar month of service using the following table:

Years of Service	Total Days Per Year
0 - 1	6
2+	12

Sick leave can be accrued one day per month following 2 years of service and may be converted upon retirement for service credit consistent with the provisions of the North Carolina Local Government Employees' Retirement System. All accumulated sick leaves shall be lost when an employee resigns or is separated from employment with the Lake Lure ABC Board. No employee shall be paid for accumulated sick leave. Claiming sick leave under false pretense to obtain a day off

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with pay shall subject the employee to disciplinary action up to and including dismissal.

Paid sick leave can be used in minimum increments of one-half day. An eligible employee may use sick leave benefits for an absence due to his or her own illness or injury, or that of a child, parent, or spouse.

Employees who are unable to report to work due to illness or injury should notify the Manager before the scheduled start of their workday if possible. The Manager must also be contacted on each additional day of absence.

If an employee is absent for three or more consecutive days due to illness or injury, a physician's statement must be provided verifying the disability and its beginning and expected ending dates. Such verification may be requested for other sick leave absences as well and may be required as a condition to receiving sick leave benefits.

Before returning to work from a sick leave absence of 3 calendar days or more, an employee must provide a physician's verification that he or she may safely return to work.

Sick leave benefits will be calculated based on the employee's base pay rate at the time of absence and will not include any special forms of compensation, such as incentives, commissions, bonuses, or shift differentials.

As an additional condition of eligibility for sick leave benefits, an employee on an extended absence must apply for any other available compensation and benefits, such as workers' compensation. Sick leave benefits will be used to supplement any payments that an employee is eligible to receive from state disability insurance, workers' compensation or ABC Board-provided disability insurance programs, if any. The combination of any such disability payments and sick leave benefits cannot exceed the employee's normal weekly earnings.

Unused sick leave benefits will be allowed to accumulate indefinitely.

Sick leave benefits are intended solely to provide income protection in the event of illness or injury and may not be used for any other absence. Unused sick leave benefits will not be paid to employees while they are employed or upon termination of employment.

Bereavement Leave

Employees who wish to take time off due to the death of an immediate family member should notify their supervisor immediately.

Up to 3 days of paid bereavement leave will be provided to regular full-time employees.

Bereavement pay is calculated based on the base pay rate at the time of absence and will not include any special forms of compensation, such as incentives, commissions, bonuses, or shift differentials.

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Bereavement leave will normally be granted unless there are unusual business needs or staffing requirements. Employees may, with their supervisors' approval, use any available paid leave for additional time off as necessary.

The ABC Board defines "immediate family" as the employee's spouse, parent, child, sibling; the employee's spouse's parent, child, or sibling.

Civil Leave

Employees called for jury duty or as a witness for the Federal or State Government (or a subdivision thereof), shall be entitled to receive his regular compensation for work missed during the required absence. Employees may retain all fees received for jury duty in addition to their regular compensation.

Employees must show the jury duty summons to the manager as soon as possible so that the manager may make arrangements to accommodate their absence. Of course, employees are expected to report for work whenever the court schedule permits.

Either ABC Board or the employee may request an excuse from jury duty if, in ABC Board's judgment, the employee's absence would create serious operational difficulties.

ABC Board will continue to provide health insurance benefits for the full term of the jury duty absence. Vacation, sick leave, and holiday benefits will continue to accrue during unpaid jury duty leave.

Leave Without Pay

The Manager may grant a full-time employee a leave of absence without pay for up to one year with approval by the Board. The leave is used for personal or family illness, completion of education, or special works that will permit the Board to benefit by the experience gained, or work performed. The employee must apply in writing to the Manager for the leave permission. The employee is obligated to return to duty within or at the end of the time determined appropriate by Management. The employee should immediately notify the Board should they find they would not be returning to work. Failure to report by specified date will be considered a resignation. Accumulated vacation will be used before an employee goes on leave without pay, except in a workmen's compensation situation. If the leave is for a personal disability, a physician must furnish a prescribed form verifying the actual period of disability. The employee is not eligible to earn vacation, holiday, or sick pay during the leave of absence. The regular employee will be reinstated to the same position, or one of like classification, seniority and pay upon return of work.

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Benefits Continuation (COBRA)

The federal Consolidated Omnibus Budget Reconciliation Act (COBRA) gives employees and their qualified beneficiaries the opportunity to continue health insurance coverage under ABC Board's health plan when a "qualifying event" would normally result in the loss of eligibility. Some common qualifying events are resignation, termination of employment, or death of an employee; a reduction in an employee's hours or a leave of absence; an employee's divorce or legal separation; and a dependent child no longer meeting eligibility requirements.

Under COBRA, the employee or beneficiary pays the full cost of coverage at ABC Board's group rates plus an administration fee. ABC Board provides each eligible employee with a written notice describing rights granted under COBRA when the employee becomes eligible for coverage under ABC Board's health insurance plan. The notice contains important information about the employee's rights and obligations.

Health Insurance

ABC Board's health insurance plan provides employees and their dependents access to medical and dental insurance benefits. Employees in the following employment classifications are eligible to participate in the health insurance plan:

- Regular full-time employees

- Part-time employees working at least 20 hours per week

Eligible employees may participate in the health insurance plan subject to all terms and conditions of the agreement between ABC Board and the insurance carrier.

A change in employment classification that would result in loss of eligibility to participate in the health insurance plan may qualify an employee for benefits continuation under the Consolidated Omnibus Budget Reconciliation Act (COBRA). Refer to the Benefits Continuation (COBRA) Policy for more information.

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Timekeeping

Accurately recording time worked is the responsibility of every nonexempt employee. Federal and state laws require ABC Board to keep an accurate record of time worked in order to calculate employee pay and benefits. Time worked is all the time actually spent on the job performing assigned duties.

Nonexempt employees should accurately record the time they begin and end their work, as well as the beginning and ending time of each meal period. They should also record the beginning and ending time of any split shift or departure from work for personal reasons. Overtime work must always be approved before it is performed.

Altering, falsifying, tampering with time records, or recording time on another employee's time record may result in disciplinary action, up to and including termination of employment.

Nonexempt employees should report to work no more than 0 minutes prior to their scheduled starting time nor stay more than 0 minutes after their scheduled stop time without expressed, prior authorization from the Manager or Assistant Manager.

It is the employees' responsibility to sign their time records to certify the accuracy of all time recorded. The Manager and/or Assistant Manager will review and approve the time record before submitting it for payroll processing. In addition, if corrections or modifications are made to the time record, both the employee and the supervisor must verify the accuracy of the changes by initialing the time record.

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Paydays

All employees are paid biweekly - every other Tuesday. Each paycheck will include earnings for all work performed through the end of the previous payroll period.

In the event that a regularly scheduled payday falls on a day off such as a weekend or holiday, employees will receive pay on the last day of work before the regularly scheduled payday.

If a regular payday falls during an employee's vacation, the employee may receive his or her earned wages before departing for vacation if a written request is submitted at least one week prior to departing for vacation.

Employees may have pay directly deposited into their bank accounts if they provide advance written authorization to ABC Board. Employees will receive an itemized statement of wages when ABC Board makes direct deposits.

Paychecks shall be signed by the Store Manager and one ABC Board member, who is designated by the Board to co-sign paychecks. In the absence of a designated Board member to co-sign, the paychecks may be co-signed by the Town of Lake Lure Finance Director.

Employment Termination

Termination of employment is an inevitable part of personnel activity within any organization, and many of the reasons for termination are routine. Below are examples of some of the most common circumstances under which employment is terminated:

- * Resignation - voluntary employment termination initiated by an employee.
- * Discharge - involuntary employment termination initiated by the organization.
- * Retirement - voluntary employment termination initiated by the employee meeting age, length of service, and any other criteria for retirement from the organization.

Since employment with the Board is based on mutual consent, both the employee and the Board have the right to terminate employment at will, with or without cause, at any time. Employees will receive their final pay in accordance with applicable state law.

Employee benefits will be affected by employment termination in the following manner. All accrued, vested benefits that are due and payable at termination will be paid. Some benefits may be continued at the employee's expense if the employee so chooses. The employee will be notified in writing of the benefits that may be continued and of the terms, conditions, and limitations of such continuance.

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Work Schedules

Assistant Managers develop individual work schedules, which are then reviewed by the General Manager. Assistant Managers will advise employees of their individual work schedules. Staffing needs and operational demands may necessitate variations in starting and ending times, as well as variations in the total hours that may be scheduled each day and week.

Flexible scheduling, or flextime, may be available in some cases to allow employees to vary their starting and ending times each day within established limits. Flextime may be possible if a mutually workable schedule can be negotiated with the supervisor involved. However, such issues as staffing needs, the employee's performance, and the nature of the job will be considered before approval of flextime. Employees should consult their supervisor to request participation in flextime.

Use of Phone and Mail Systems

Personal use of the telephone while on the sales floor is not permitted unless there is an emergency.

The mail system is reserved for business purposes only. Employees should refrain from sending or receiving personal mail at the workplace.

To ensure effective telephone communications, employees should always speak in a courteous and professional manner. Please confirm information received from the caller and hang up only after the caller has done so.

Smoking

In accordance with Rule 15A.1703(a)(6) smoking is prohibited in all ABC stores, warehouses and storage areas

This policy applies equally to all employees, customers, and visitors and includes electronic cigarettes.

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Overtime

When operating requirements or other needs cannot be met during regular working hours, employees may be scheduled to work overtime hours. When possible, advance notification of these mandatory assignments will be provided. All overtime work must receive the Manager's prior authorization. Overtime assignments will be distributed as equitably as practical to all employees qualified to perform the required work.

Overtime compensation is paid to all nonexempt employees in accordance with federal and state wage and hour restrictions. Overtime pay is based on actual hours worked. Time off on sick leave, vacation leave, or any leave of absence will not be considered hours worked for purposes of performing overtime calculations.

Failure to work scheduled overtime or overtime worked without prior authorization from the supervisor may result in disciplinary action, up to and including possible termination of employment.

Use of Equipment

Equipment essential in accomplishing job duties is expensive and may be difficult to replace. When using property, employees are expected to exercise care, perform required maintenance, and follow all operating instructions, safety standards, and guidelines.

Please notify the Manager or Assistant Manager if any equipment appears to be damaged, defective, or in need of repair. Prompt reporting of damages, defects, and the need for repairs could prevent deterioration of equipment and possible injury to employees or others. The Manager can answer any questions about an employee's responsibility for maintenance and care of equipment used on the job.

The improper, careless, negligent, destructive, or unsafe use or operation of equipment can result in disciplinary action, up to and including termination of employment.

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Emergency Closings

At times, emergencies such as severe weather, fires, or power failures can disrupt store operations. In extreme cases, these circumstances may require the closing of the ABC Store.

When operations are officially closed due to emergency conditions, the time off from scheduled work will be unpaid. However, with supervisory approval, employees may use available paid leave time, such as unused vacation benefits.

In cases where an emergency closing is not authorized, employees who fail to report for work will not be paid for the time off. Employees may request available paid leave time such as unused vacation benefits.

Business Travel Expenses

G.S. 18B-700(g2) requires the ABC board to adopt either the State's travel policy (North Carolina Office of State Budget and Management) or the appointing authority's. This ABC board has voted to adopt the State travel Policy.

18B-700(g2) Travel Allowance and Per Diem Rates. – Approved travel on official business by the members and employees of local boards shall be reimbursed pursuant to G.S. 138-6. The local board shall annually provide the appointing authority's written confirmation of such approval to the Commission and a copy of the travel policy authorized by the appointing authority. Any excess expenses not covered by the local board's travel policy shall only be paid with the written authorization of the appointing authority's finance officer. A copy of the written authorization for excess expenses shall be submitted to the Commission by the local board within 30 days of approval.

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Attendance and Punctuality

To maintain a safe and productive work environment, the ABC Board expects employees to be reliable and to be punctual in reporting for scheduled work. Absenteeism and tardiness place a burden on other employees and on ABC Board. In the rare instances when employees cannot avoid being late to work or are unable to work as scheduled, they should notify the Manager as soon as possible in advance of the anticipated tardiness or absence.

Poor attendance and excessive tardiness are disruptive. Either may lead to disciplinary action, up to and including termination of employment.

Visitors in the Workplace

To provide for the safety and security of employees and the facilities at the ABC Store, only authorized visitors are allowed in the workplace. Restricting unauthorized visitors helps maintain safety standards, protects against theft, ensures security of equipment, protects confidential information, safeguards employee welfare, and avoids potential distractions and disturbances.

Because of safety and security reasons, family and friends of employees are discouraged from visiting except in cases of emergency. Employees are responsible for the conduct and safety of their visitors. If an unauthorized individual is observed on the ABC Board's premises, employees should immediately notify their supervisor or, if necessary, direct the individual to the General Manager.

Computer and Email Usage

Computers, computer files, the email system, and software furnished to employees are ABC Board property intended for business use only. Employees should not use a password, access a file, or retrieve any stored communication without authorization. To ensure compliance with this policy, computer and email usage may be monitored.

The ABC Board strives to maintain a workplace free of harassment and sensitive to the diversity of its employees. Therefore, the ABC Board prohibits the use of computers and the email system in ways that are disruptive, offensive to others, or harmful to morale.

For example, the display or transmission of sexually explicit images, messages, and cartoons is not allowed. Other such misuse includes, but is not limited to, ethnic slurs, racial comments, off-color jokes, or anything that may be construed as harassment or showing disrespect for others.

Email may not be used to solicit others for commercial ventures, religious or political causes, outside organizations, or other non-business matters.

Employees should notify their immediate supervisor or the General Manager upon learning of violations of this policy. Employees who violate this policy will be subject to disciplinary action, up to and including termination of employment.

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Internet Usage

To ensure a virus-free environment, no files may be downloaded from the Internet without prior authorization. Access to websites not related to ABC Board operations is also prohibited without prior authorization.

Abuse of the Internet access provided by the Board in violation of law or ABC Board policies will result in disciplinary action, up to and including termination of employment. Employees may also be held personally liable for any violations of this policy. The following behaviors are examples of previously stated or additional actions and activities that are prohibited and can result in disciplinary action:

- * Sending or posting discriminatory, harassing, or threatening messages or images
- * Using the organization's time and resources for personal gain
- * Stealing, using, or disclosing someone else's code or password without authorization
- * Copying, pirating, or downloading software and electronic files without permission
- * Sending or posting confidential material, trade secrets, or proprietary information outside of the organization
- * Violating copyright law
- * Failing to observe licensing agreements
- * Engaging in unauthorized transactions that may incur a cost to the organization or initiate unwanted Internet services and transmissions
- * Sending or posting messages or material that could damage the organization's image or reputation
- * Participating in the viewing or exchange of pornography or obscene materials
- * Sending or posting messages that defame or slander other individuals
- * Attempting to break into the computer system of another organization or person
- * Refusing to cooperate with a security investigation
- * Sending or posting chain letters, solicitations, or advertisements not related to business purposes or activities
- * Using the Internet for political causes or activities, religious activities, or any sort of gambling
- * Jeopardizing the security of the organization's electronic communications systems
- * Sending or posting messages that disparage another organization's products or services
- * Passing off personal views as representing those of the organization
- * Sending anonymous email messages
- * Engaging in any other illegal activities

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Workplace Violence Prevention

This ABC Board is committed to preventing workplace violence and to maintaining a safe work environment. Given the increasing violence in society in general, the ABC Board has adopted the following guidelines to deal with intimidation, harassment, or other threats of (or actual) violence that may occur during business hours or on its premises.

All employees, including managers and temporary employees, should be treated with courtesy and respect at all times. Employees are expected to refrain from fighting, "horseplay," or other conduct that may be dangerous to others. Firearms, weapons, and other dangerous or hazardous devices or substances are prohibited from the premises of ABC Board without proper authorization.

Conduct that threatens, intimidates, or coerces another employee, a customer, or a member of the public at any time, including off-duty periods, will not be tolerated. This prohibition includes all acts of harassment, including harassment that is based on an individual's sex, race, age, or any characteristic protected by federal, state, or local law.

All threats of (or actual) violence, both direct and indirect, should be reported as soon as possible to your immediate supervisor or the Manager. This includes threats by employees, as well as threats by customers, vendors, solicitors, or other members of the public. When reporting a threat of violence, you should be as specific and detailed as possible.

All suspicious individuals or activities should also be reported as soon as possible to a supervisor. Do not place yourself in peril. If you see or hear a commotion or disturbance near your workstation, do not try to intercede or see what is happening.

The Board will promptly and thoroughly investigate all reports of threats of (or actual) violence and of suspicious individuals or activities. The identity of the individual making a report will be protected as much as is practical. In order to maintain workplace safety and the integrity of its investigation, the ABC Board may suspend employees, either with or without pay, pending investigation.

Anyone determined to be responsible for threats of (or actual) violence or other conduct that is in violation of these guidelines will be subject to prompt disciplinary action up to and including termination of employment.

The Board encourages employees to bring their disputes or differences with other employees to the attention of the Store Manager or Assistant Manager before the situation escalates into potential violence. ABC Board is eager to assist in the resolution of employee disputes and will not discipline employees for raising such concerns.

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In-Store Rules

In addition to the other rules and policies contained herein that pertain to conduct while employees are on duty at the ABC Store, the following rules shall apply:

1. Employees are expected to do their jobs while on duty. Employees shall always be alert to customer needs (effective customer service) and ready to offer assistance.
2. Employees shall conduct personal business outside of store work hours.
3. Employees may provide information about alcoholic beverages but may not recommend brands.
4. Employees shall discourage customers from loitering in the store.
5. Meals should be taken at the mixed beverage desk.

Medical Leave

ABC Board provides medical leaves of absence without pay to eligible employees who are temporarily unable to work due to a serious health condition or disability. For purposes of this policy, serious health conditions or disabilities include inpatient care in a hospital, hospice, or residential medical care facility; continuing treatment by a health care provider; and temporary disabilities associated with pregnancy, childbirth, and related medical conditions.

Employees in the following employment classifications are eligible to request medical leave as described in this policy:

- * Regular full-time employees

Eligible employees may request medical leave only after having completed 180 calendar days of service. Exceptions to the service requirement will be considered to accommodate disabilities and emergencies. Eligible employees should make requests for medical leave to their supervisors at least 30 days in advance of foreseeable events and as soon as possible for unforeseeable events.

A health care provider's statement must be submitted verifying the need for medical leave and its beginning and expected ending dates. Any changes in this information should be promptly reported to the Manager. Employees returning from medical leave must submit a health care provider's verification of their fitness to return to work.

Eligible employees are normally granted leave for the period of the disability, up to a maximum of 12 weeks within any 12-month period. Any combination of medical leave and family leave may not exceed this maximum limit. Employees will be required to first use any accrued paid leave time before taking unpaid medical leave.

Employees who sustain work-related injuries are eligible for a medical leave of absence for the period of disability in accordance with all applicable laws covering occupational disabilities.

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Subject to the terms, conditions, and limitations of the applicable plans, health insurance benefits will be provided by the ABC Board until the end of the month in which the medical leave begins. At that time, employees will become responsible for the full costs of these benefits if they wish coverage to continue. When the employee returns from medical leave, benefits will again be provided by ABC Board according to the applicable plans.

Benefit accruals, such as vacation, sick leave, or holiday benefits, will be suspended during the leave and will resume upon return to active employment.

An employee on medical leave is requested to provide ABC Board with at least two weeks advance notice of the date the employee intends to return to work. When a medical leave ends, the employee will be reinstated to the same position, if it is available, or to an equivalent position for which the employee is qualified.

If an employee fails to return to work on the agreed upon return date, ABC Board will assume that the employee has resigned.

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Family Leave

The ABC Board provides family leaves of absence without pay to eligible employees who wish to take time off from work duties to fulfill family obligations relating directly to childbirth, adoption, or placement of a foster child; or to care for a child, spouse, or parent with a serious health condition. A serious health condition means an illness, injury, impairment, or physical or mental condition that involves inpatient care in a hospital, hospice, or residential medical care facility; or continuing treatment by a health care provider.

Employees in the following employment classifications are eligible to request family leave as described in this policy:

- * Regular full-time employees

Eligible employees may request family leave only after having completed 180 calendar days of service. Eligible employees should make requests for family leave to their supervisors at least 30 days in advance of foreseeable events and as soon as possible for unforeseeable events.

Employees requesting family leave related to the serious health condition of a child, spouse, or parent may be required to submit a health care provider's statement verifying the need for a family leave to provide care, its beginning and expected ending dates, and the estimated time required.

Eligible employees may request up to a maximum of 8 weeks of family leave within any 12-month period. Any combination of family leave and medical leave may not exceed this maximum limit. If this initial period of absence proves insufficient, consideration will be given to a written request for a single extension of no more than 30 calendar days. Employees will be required to first use any accrued paid leave time before taking unpaid family leave.

Subject to the terms, conditions, and limitations of the applicable plans, health insurance benefits will be provided by the ABC Board until the end of the month in which the approved family leave begins. At that time, employees will become responsible for the full costs of these benefits if they wish coverage to continue. When the employee returns from family leave, benefits will again be provided by ABC Board according to the applicable plans.

Benefit accruals, such as vacation, sick leave, or holiday benefits, will be suspended during the leave and will resume upon return to active employment.

So that an employee's return to work can be properly scheduled, an employee on family leave is requested to provide the ABC Board with at least two weeks advance notice of the date the employee intends to return to work. When a family leave ends, the employee will be reinstated to the same position, if it is available, or to an equivalent position for which the employee is qualified.

If an employee fails to return to work on the agreed upon return date, the ABC Board will assume that the employee has resigned.

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Personal Leave

The ABC Board provides leaves of absence without pay to eligible employees who wish to take time off from work duties to fulfill personal obligations. Employees in the following employment classification(s) are eligible to request personal leave as described in this policy:

- * Regular full-time employees

Eligible employees may request personal leave only after having completed 180 calendar days of service. As soon as eligible employees become aware of the need for a personal leave of absence, they should request a leave from their supervisor.

Personal leave may be granted for a period of up to 60 calendar days every 1 year. With the supervisor's approval, an employee may take any available sick leave or vacation leave as part of the approved period of leave.

Requests for personal leave will be evaluated based on a number of factors, including anticipated workload requirements and staffing considerations during the proposed period of absence.

Subject to the terms, conditions, and limitations of the applicable plans, health insurance benefits will be provided by ABC Board until the end of the month in which the approved personal leave begins. At that time, employees will become responsible for the full costs of these benefits if they wish coverage to continue. When the employee returns from personal leave, benefits will again be provided by ABC Board according to the applicable plans.

Benefit accruals, such as vacation, sick leave, or holiday benefits, will be suspended during the leave and will resume upon return to active employment.

When a personal leave ends, every reasonable effort will be made to return the employee to the same position, if it is available, or to a similar available position for which the employee is qualified. However, ABC Board cannot guarantee reinstatement in all cases.

If an employee fails to report to work promptly at the expiration of the approved leave period, the ABC Board will assume the employee has resigned.

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Military Leave

A military leave of absence will be granted to employees who are absent from work because of service in the U.S. uniformed services in accordance with the Uniformed Services Employment and Reemployment Rights Act (USERRA). Advance notice of military service is required, unless military necessity prevents such notice, or it is otherwise impossible or unreasonable.

Employees will continue to receive full pay while on leave for two-week training assignments and shorter absences. The portion of any military leaves of absence in excess of two weeks will be unpaid. However, employees may use any available paid time off for the absence.

Continuation of health insurance benefits is available as required by USERRA based on the length of the leave and subject to the terms, conditions, and limitations of the applicable plans for which the employee is otherwise eligible.

Benefit accruals, such as vacation, sick leave, or holiday benefits, will be suspended during the leave and will resume upon the employee's return to active employment.

Employees on military leave for up to 30 days are required to return to work for the first regularly scheduled shift after the end of service, allowing reasonable travel time. Employees on longer military leave must apply for reinstatement in accordance with USERRA and all applicable state laws.

Employees returning from military leave will be placed in the position they would have attained had they remained continuously employed or a comparable one depending on the length of military service in accordance with USERRA. They will be treated as though they were continuously employed for purposes of determining benefits based on length of service.

Contact the General Manager for more information or questions about military leave.

Pregnancy-Related Absences

The ABC Board will not discriminate against any employee who requests an excused absence for medical disabilities associated with pregnancy. Such leave requests will be evaluated according to the medical leave policy provisions outlined in this Manual and all applicable federal and state laws.

Requests for time off associated with pregnancy and/or childbirth, such as bonding and childcare, not related to medical disabilities for those conditions will be considered in the same manner as other requests for unpaid family or personal leave.

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Employee Conduct and Work Rules

To ensure orderly operations and provide the best possible work environment, the Board expects employees to follow rules of conduct that will protect the interests and safety of all employees, the public and the ABC Board.

It is not possible to list all the forms of behavior that are considered unacceptable in the workplace. The following are examples of infractions of rules of conduct that may result in disciplinary action, up to and including termination of employment:

- * Reporting to work intoxicated or under the influence of alcohol, nonprescription drugs or other intoxicants
- * Possession of pornographic or other offensive materials or objects on Board property
- * Insubordination
- * Bringing or consuming alcoholic beverages on Board property
- * Bringing sexually oriented materials on Board property
- * Theft or inappropriate removal or possession of property
- * Falsification of timekeeping records
- * Working under the influence of alcohol or illegal drugs
- * Possession, distribution, sale, transfer, or use of alcohol or illegal drugs in the workplace, while on duty.
- * Fighting or threatening violence in the workplace
- * Boisterous or disruptive activity in the workplace
- * Negligence or improper conduct leading to damage of employer-owned or customer-owned property
- * Insubordination or other disrespectful conduct
- * Violation of safety or health rules
- * Smoking in prohibited areas
- * Sexual or other unlawful or unwelcome harassment toward fellow employees or customers
- * Possession of dangerous or unauthorized materials, such as explosives or firearms, in the workplace
- * Excessive absenteeism or any absence without notice
- * Unauthorized absence from workstation during the workday
- * Unauthorized use of telephones, mail system, or other employer-owned equipment
- * Unauthorized disclosure of business "secrets" or confidential information
- * Violation of personnel policies
- * Unsatisfactory performance or conduct

Employment with the ABC Board is at the mutual consent of the Board and the employee, and either party may terminate that relationship at any time, with or without cause, and with or without advance notice.

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Drug and Alcohol Use

It is the ABC Board's desire to provide a drug-free, healthful, and safe workplace. To promote this goal, employees are required to report to work in appropriate mental and physical condition to perform their jobs in a satisfactory manner.

While on ABC Board premises and while conducting business-related activities off ABC Board premises, no employee may use, possess, distribute, sell, or be under the influence of alcohol or illegal drugs. The legal use of prescribed drugs is permitted on the job only if it does not impair an employee's ability to perform the essential functions of the job effectively and in a safe manner that does not endanger other individuals in the workplace.

Violations of this policy may lead to disciplinary action, up to and including immediate termination of employment, and/or required participation in a substance abuse rehabilitation or treatment program. Such violations may also have legal consequences.

Whenever an ABC Board manager has reasonable suspicion to believe that an employee on duty is impaired or unfit for duty, the employee will be required to submit to a drug and/or alcohol test as may be appropriate.

Employees with drug or alcohol problems that have not resulted in, and are not the immediate subject of, disciplinary action may request approval to take unpaid time off to participate in a rehabilitation or treatment program through ABC Board's health insurance benefit coverage. Leave may be granted if the employee agrees to abstain from use of the problem substance; abides by all ABC Board policies, rules, and prohibitions relating to conduct in the workplace; and if granting the leave will not cause the Board any undue hardship.

Under the Drug-Free Workplace Act, an employee who performs work for a government contract or grant must notify the Board of a criminal conviction for drug-related activity occurring in the workplace. The report must be made within five days of the conviction.

Employees with questions on this policy or issues related to drug or alcohol use in the workplace should raise their concerns with their supervisor or the General Manager without fear of reprisal.

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Sexual and Other Unlawful Harassment

The ABC Board is committed to providing a work environment that is free from all forms of discrimination and conduct that can be considered harassing, coercive, or disruptive, including sexual harassment. Actions, words, jokes, or comments based on an individual's sex, race, color, national origin, age, religion, disability, sexual orientation, or any other legally protected characteristic will not be tolerated.

Sexual harassment is defined as unwanted sexual advances, or visual, verbal, or physical conduct of a sexual nature. This definition includes many forms of offensive behavior and includes gender-based harassment of a person of the same sex as the harasser. This policy is intended to apply to employees harassing coworkers and/or customers. The following is a partial list of sexual harassment examples:

- * Unwanted sexual advances.
- * Offering employment benefits in exchange for sexual favors.
- * Making or threatening reprisals after a negative response to sexual advances.
- * Visual conduct that includes leering, making sexual gestures, or displaying of sexually suggestive objects or pictures, cartoons, or posters.
- * Verbal conduct that includes making or using derogatory comments, epithets, slurs, or jokes.
- * Verbal sexual advances or propositions.
- * Verbal abuse of a sexual nature, graphic verbal commentaries about an individual's body, sexually degrading words used to describe an individual, or suggestive or obscene letters, notes, or invitations.
- * Physical conduct that includes touching, assaulting, or impeding or blocking movements.

Unwelcome sexual advances (either verbal or physical), requests for sexual favors, and other verbal or physical conduct of a sexual nature constitute sexual harassment when: (1) submission to such conduct is made either explicitly or implicitly a term or condition of employment; (2) submission or rejection of the conduct is used as a basis for making employment decisions; or, (3) the conduct has the purpose or effect of interfering with work performance or creating an intimidating, hostile, or offensive work environment.

If you experience or witness sexual or other unlawful harassment in the workplace, report it immediately to your supervisor. If the supervisor is unavailable or you believe it would be inappropriate to contact that person, you should immediately contact the General Manager or any other member of management. You can raise concerns and make reports without fear of reprisal or retaliation.

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All allegations of sexual harassment will be quickly and discreetly investigated. To the extent possible, your confidentiality and that of any witnesses and the alleged harasser will be protected against unnecessary disclosure. When the investigation is completed, you will be informed of the outcome of the investigation to the extent possible consistent with employee privacy laws.

Any supervisor or manager who becomes aware of possible sexual or other unlawful harassment must immediately advise the General Manager so it can be investigated in a timely and confidential manner. Anyone engaging in sexual or other unlawful harassment will be subject to disciplinary action, up to and including termination of employment.

Personal Appearance

Dress, grooming, and personal cleanliness standards contribute to the morale of all employees and affect the business image the ABC Board presents to customers and visitors.

During business hours or when representing the ABC Board, you are expected to present a clean, neat, and tasteful appearance. You should dress and groom yourself according to the requirements of your position and accepted social standards. This is particularly true if your job involves dealing with customers or visitors in person.

Your supervisor is responsible for establishing a reasonable dress code appropriate to the job you perform. If your supervisor feels your personal appearance is inappropriate, you may be asked to leave the workplace until you are properly dressed or groomed. Under such circumstance, you will not be compensated for the time away from work. Consult your supervisor if you have questions as to what constitutes appropriate appearance. Where necessary, reasonable accommodation may be made to a person with a disability.

Without unduly restricting individual tastes, the following personal appearance guidelines should be followed:

- * Shoes must provide safe, secure footing, and offer protection against hazards.
- * Canvas or athletic type shoes are not appropriate professional attire.
- * Tank tops, tube or halter tops, or shorts may not be worn under any circumstances.
- * Mustaches and beards must be clean, well trimmed, and neat.
- * Hairstyles are expected to be in good taste.
- * Unnaturally colored hair and extreme hairstyles, such as spiked hair and shaved heads, do not present an appropriate professional appearance.
- * Long hairstyles should be worn with hair pulled back off the face and neck to avoid interfering with job performance.
- * Offensive body odor and poor personal hygiene is not professionally acceptable.
- * Jewelry should not be functionally restrictive, dangerous to job performance, or excessive.
- * Facial jewelry, such as eyebrow rings, nose rings, lip rings, and tongue studs, are not professionally appropriate and must not be worn during business hours.
- * Torso body piercings with visible jewelry or jewelry that can be seen through or under clothing must not be worn during business hours.
- * Visible excessive tattoos and similar body art must be covered during business hours.

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Return of Property

Employees are responsible for all ABC Board property, materials, or written information issued to them or in their possession or control.

Employees must return all ABC Board property immediately upon request or upon termination of employment. Where permitted by applicable laws, the ABC Board may withhold from the employee's check or final paycheck the cost of any items that are not returned when required. The ABC Board may also take all action deemed appropriate to recover or protect its property.

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Resignation

Resignation is a voluntary act initiated by the employee to terminate employment with the ABC Board. Although advance notice is not required, ABC Board requests at least 2 weeks' written resignation notice from all employees.

Prior to an employee's departure, an exit interview may be scheduled to discuss the reasons for resignation and the effect of the resignation on benefits.

If an employee does not provide advance notice as requested, the employee will be considered ineligible for rehire.

Security Inspections

The ABC Board wishes to maintain a work environment that is free of illegal drugs, alcohol, firearms, explosives, or other improper materials. To this end, ABC Board prohibits the possession, transfer, sale, or use of such materials on its premises. The Board requires the cooperation of all employees in administering this policy.

Desks, lockers, and other storage devices may be provided for the convenience of employees but remain the sole property of the ABC Board. Accordingly, they, as well as any articles found within them, can be inspected by any agent or representative of the ABC Board at any time, either with or without prior notice.

The Board likewise wishes to discourage theft or unauthorized possession of the property of employees, Board, visitors, and customers. To facilitate enforcement of this policy, the ABC Board or its representative may inspect not only desks and lockers but also employees entering and/or leaving the premises and any packages or other belongings. Any employee who wishes to avoid inspection of any articles or materials should not bring such items onto the Board's premises.

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Solicitation

In an effort to ensure a productive and harmonious work environment, persons not employed by ABC Board may not solicit or distribute literature in the workplace at any time for any purpose.

ABC Board recognizes that employees may have interests in events and organizations outside the workplace. However, employees may not solicit or distribute literature concerning these activities during working time. (Working time does not include lunch periods, work breaks, or any other periods in which employees are not on duty.)

Examples of impermissible forms of solicitation include:

- * The collection of money, goods, or gifts for community, religious, political or charitable groups
- * The sale of goods, services, or subscriptions outside the scope of official organization business
- * The circulation of petitions
- * The distribution of literature not approved by the employer
- * The solicitation of memberships, fees, or dues

In addition, the posting of written solicitations on company bulletin boards is prohibited. Bulletin boards are reserved for official organization communications on such items as:

- * Affirmative Action statement
- * Employee announcements
- * Internal memoranda
- * Job openings
- * Organization announcements
- * Payday notice
- * Workers' compensation insurance information
- * State disability insurance/unemployment insurance information

Drug/Alcohol Testing

This ABC Board is committed to providing a safe, efficient, and productive work environment for all employees. Using or being under the influence of drugs or alcohol on the job may pose serious safety and health risks. To help ensure a safe and healthful working environment, job applicants and employees may be asked to provide body substance samples (such as urine and/or blood) to determine the illicit or illegal use of drugs and alcohol. Refusal to submit to drug testing may result in disciplinary action, up to and including termination of employment or refusal of employment.

Copies of the drug testing policy will be provided to all employees. Employees will be asked to sign an acknowledgement form indicating that they have received a copy of the drug testing policy. Questions concerning this policy, or its administration should be directed to the General Manager.

Lake Lure Alcohol Beverage Control Board

ABC PERSONNEL POLICY AND PROCEDURE MANUAL

Progressive Discipline

The purpose of this policy is to state the ABC Board's position on administering equitable and consistent discipline for unsatisfactory conduct in the workplace. The best disciplinary measure is the one that does not have to be enforced and comes from good leadership and fair supervision at all employment levels.

The ABC Board's own best interest lies in ensuring fair treatment of all employees and in making certain that disciplinary actions are prompt, uniform, and impartial. The major purpose of any disciplinary action is to correct the problem, prevent recurrence, and prepare the employee for satisfactory service in the future.

Although employment with the Board is based on mutual consent and both the employee and the Board have the right to terminate employment at will, with or without cause or advance notice, the Board may use progressive discipline at its discretion.

Disciplinary action may call for any of four steps -- verbal warning, written warning, suspension with or without pay, or termination of employment -- depending on the severity of the problem and the number of occurrences. There may be circumstances when one or more steps are bypassed.

Progressive discipline means that, with respect to most disciplinary problems, these steps will normally be followed: a first offense may call for a verbal warning; a next offense may be followed by a written warning; another offense may lead to a suspension; and, still another offense may then lead to termination of employment. If more than 36 months have passed since the last disciplinary action, the process will normally start over.

The Board recognizes that there are certain types of employee problems that are serious enough to justify either a suspension or termination of employment, without going through the usual progressive discipline steps.

While it is impossible to list every type of behavior that may be deemed a serious offense, the Employee Conduct and Work Rules policy includes examples of problems that may result in immediate suspension or termination of employment. However, the problems listed are not all necessarily serious offenses, but may be examples of unsatisfactory conduct that will trigger progressive discipline.

By using progressive discipline, we hope that most employee problems can be corrected at an early stage, benefiting both the employee and the ABC Board.

Lake Lure Alcohol Beverage Control Board

ABC PERSONNEL POLICY AND PROCEDURE MANUAL

Problem Resolution

The ABC Board is committed to providing the best possible working conditions for its employees. Part of this commitment is encouraging an open and frank atmosphere in which any problem, complaint, suggestion, or question receives a timely response from ABC Board supervisors and management.

The Board strives to ensure fair and honest treatment of all employees. Supervisors, managers, and employees are expected to treat each other with mutual respect. Employees are encouraged to offer positive and constructive criticism.

If employees disagree with established rules of conduct, policies, or practices, they can express their concern through the problem resolution procedure. No employee will be penalized, formally or informally, for voicing a complaint with ABC Board in a reasonable, business-like manner, or for using the problem resolution procedure.

If a situation occurs when employees believe that a condition of employment or a decision affecting them is unjust or inequitable, they are encouraged to make use of the following steps. The employee may discontinue the procedure at any step.

1. Employee presents problem to immediate supervisor within 30 calendar days, after incident occurs. If supervisor is unavailable or employee believes it would be inappropriate to contact that person, employee may present the problem to the General Manager.
2. Supervisor responds to problem during discussion or within 30 calendar days, after consulting with appropriate management, when necessary. Supervisor documents discussion.
3. Employee presents problem to General Manager within 30 calendar days if problem is unresolved.
4. General Manager counsels and advises employee, assists in putting problem in writing, visits with employee's supervisor, if necessary, and directs employee to General Manager for review of problem.
5. Employee presents problem to General Manager in writing.
6. General Manager reviews and considers problem. General Manager informs employee of decision within 30 calendar days, and forwards copy of written response to General Manager for employee's file. The General Manager has full authority to make any adjustment deemed appropriate to resolve the problem.

Not every problem can be resolved to everyone's total satisfaction, but only through understanding and discussion of mutual problems can employees and management develop confidence in each other. This confidence is important to the operation of an efficient and harmonious work environment and helps to ensure everyone's job security.

Lake Lure Alcohol Beverage Control Board

ABC PERSONNEL POLICY AND PROCEDURE MANUAL

Workplace Etiquette

The ABC Board strives to maintain a positive work environment where employees treat each other with respect and courtesy. Sometimes issues arise when employees are unaware that their behavior in the workplace may be disruptive or annoying to others. Many of these day-to-day issues can be addressed by politely talking with a co-worker to bring the perceived problem to his or her attention. In most cases, common sense will dictate an appropriate resolution. The ABC Board encourages all employees to keep an open mind and graciously accept constructive feedback or a request to change behavior that may be affecting another employee's ability to concentrate and be productive.

The following workplace etiquette guidelines are not necessarily intended to be hard and fast work rules with disciplinary consequences. They are simply suggestions for appropriate workplace behavior to help everyone be more conscientious and considerate of co-workers and the work environment. Please contact the Supervisor if you have comments, concerns, or suggestions regarding these workplace etiquette guidelines.

- * Avoid public accusations or criticisms of other employees. Address such issues privately with those involved or your supervisor.
- * Try to minimize unscheduled interruptions of other employees while they are working.
- * Be conscious of how your voice travels and try to lower the volume of your voice when talking on the phone or to others in open areas.
- * Keep socializing to a minimum and try to conduct conversations in areas where the noise will not be distracting to others.
- * Refrain from using inappropriate language (swearing) that others may overhear.
- * Clean up after yourself and do not leave behind waste or discarded papers.

Suggestion Program

As employees of the ABC Board, you have the opportunity to contribute to our future success and growth by submitting suggestions for practical work-improvement or cost-savings ideas.

A suggestion is an idea that will benefit the ABC Board by solving a problem, reducing costs, improving operations or procedures, enhancing customer service, eliminating waste or spoilage, or making the ABC Board a better or safer place to work. Statements of problems without accompanying solutions, or recommendations concerning co-workers and management are not appropriate suggestions.

All suggestions must be submitted on a suggestion form and should contain a description of the problem or condition to be improved, a detailed explanation of the solution or improvement, and the reasons why it should be implemented.

Submit suggestions to the General Manager and, after review, they will be forwarded to the ABC Board. As soon as possible, you will be notified of the adoption or rejection of your suggestion.

Special recognition will be given to employees who submit a suggestion that is implemented.