

CHAPTER 503

PERSONNEL POLICY

Town of Yarmouth, Maine

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PERSONNEL POLICY

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PERSONNEL POLICY

ARTICLE I

A. TITLE

1. This Ordinance shall be known and may be cited as the Personnel Policy of the Town of Yarmouth.
2. The general purpose of this policy is to establish a system of personnel administration that meets the social, economic and program needs of the people of Yarmouth. This policy provides the means to recruit, select, develop and maintain an effective and responsive work force and includes policies and procedures for employee hiring and advancement, training and career development, job classification, salary administration, retirement fringe benefits, discipline, and other related activities.

B. Non-Discrimination

As an equal opportunity employer, it is the policy of the Town of Yarmouth to seek and employ qualified personnel in all of its locations; to provide equal opportunities for the advancement of employees, including upgrading, promotion and training, and to administer these activities in a manner which will not discriminate against any person because of race, color, sex, sexual orientation, age, religion, national origin, ancestry or physical/ mental handicap.

C. DEFINITIONS

“Appointing authority” means the Town Manager or the Town Council.

“Employee” denotes any person appointed to a regular position by the Town Manager or the Town Council.

“Full-time employee” denotes an employee who is scheduled to work a minimum 35 - hour work week on a work year basis.

“Regular part-time employee” denotes an employee who is scheduled to work a minimum of 25 hours per week for 50 weeks or more, or 35 hours per week for 36 weeks per year or more, or some other combination equating to not less than 1250 hours per year, but less than full-time.

“Part-time employee” denotes an employee who is scheduled to work less than a full time or regular part-time employee, or at intermittent, varying, seasonal or on call times during the work year.

ARTICLE II

A. ADMINISTRATION

The Town Manager shall be the administrator of the personnel policy. It shall be his/her duty to:

1. Encourage and exercise leadership in the development of sound personnel practices among the departments of the Town of Yarmouth.
2. Advise the Council on manpower needs and utilization.
3. Foster and develop programs for the improvement of employee effectiveness, including training, safety, health, counseling, proper courtesy when dealing with the public and respect for municipal property.
4. Establish and maintain records of all employees in the public service, in which here is set forth as to each employee the class, title, pay or status, sick leave, vacation time, and other relevant data.
5. Apply and carry out this policy and to perform any act which may be necessary or desirable to carry out the purposes and provisions of this policy.

ARTICLE III

A. APPLICABILITY

This policy shall be applicable to all employees appointed by the Town Council, or the Town Manager or his/her agent except the following:

1. The Town Attorney;
2. Employee positions included in a recognized collective bargaining unit;
3. Regular part time employees except as specifically noted herein;
4. Part-time employees except as specifically noted herein;
5. Any other employee covered by a specific employment contract to the extent that the employment contract specifically varies from this policy.

B. HOURS OF WORK

1. The hours of work, the starting and quitting time, and lunch periods and payroll period will be established within each department with the Town Manager's approval.

2. The hours of work, the starting and quitting time or the lunch period may be changed by the department head after consultation with department employees, subject to approval by the Town Manager.

C. SUBSTITUTIONS

The right to substitute scheduled work hours, shifts or days may be permitted by the Department Head or his/her authorized representative.

D. OVERTIME

1. When circumstances warrant, overtime work may be required. Hourly employees shall receive time and one half their base hourly rate for all hours worked in excess of forty hours in any one work week or in excess of the limits of the Fair Labor Standards Act, whichever is greater.
2. In lieu of the overtime pay provisions of Section III.D.1 above, hourly employees may elect to receive compensatory time off at a rate of 1.5 times the amount of time worked in excess of forty hours per week. Employees may elect to accumulate up to 81 hours of compensatory time off (54 hours of overtime worked) which may be used with the prior approval of the employee's supervisor.
3. In computing hours for the purpose of overtime, "HOURS WORKED" shall not include:
4. Hours compensated for by sick leave.
5. Hours compensated for by bereavement period.
6. Hours compensated for by jury pay.
7. Hours compensated but not worked for vacation leave, disciplinary or administrative suspension, or time spent in residence or travel for voluntary training and conferences which is in excess of the normal work day, hours, or week.
8. It is understood that salaried positions that are qualified exceptions under the Fair Labor Standards Act provisions for executive, administrative, and professional employees are paid on the basis of job responsibility and it is the responsibility of the person filling the position to accomplish the work assigned to the position regardless of the hours required to do the work, within reason.

E. ATTENDANCE

Employees shall be at their respective places of work in accordance with the general or departmental regulation pertaining to the hours of work. All departments shall keep daily attendance records and furnish to the Town Manager such periodical reports as he/she shall request.

1. Any employee who has worked overtime at any time in the work week shall not be required to take time off during his/her regularly scheduled hours for the purpose of equalizing such overtime.
2. Unexcused absence or tardiness shall result in progressive disciplinary action.
3. Any unexcused absence of three (3) consecutive scheduled work days or shifts shall constitute voluntary job abandonment and the employee shall be deemed terminated, not in good standing

F. NEPOTISM

It is the policy of the Town to discourage employing relatives in the same division of a department. Town Manager's approval shall be required for any deviation from this policy. This Section shall apply to part-time, regular part-time and to full-time employees.

ARTICLE IV

A. HOLIDAYS

1. All full-time employees, including those on probation who have served at least 30 days, shall be entitled to paid holidays as follows:
 - a. New Year's Day
 - b. Martin Luther King Day
 - c. Presidents' Day
 - d. Patriots' Day
 - e. Memorial Day
 - f. Independence Day
 - g. Labor Day
 - h. Columbus Day
 - i. Veterans' Day
 - j. Thanksgiving Day
 - k. Day after Thanksgiving Day
 - l. Christmas Day
2. When a holiday falls on a Sunday, the following Monday shall be deemed a holiday. When a holiday falls on Saturday, it shall be observed on the preceding Friday. In case a holiday falls on a vacation period, it is not counted as part of annual vacation allowance; an additional day of vacation may be added to the earned vacation time.
3. Employees, the nature of whose job requires them to work on any of these holidays, shall receive straight hourly base pay in addition to his/her holiday straight hourly base pay.

4. If the holiday falls on a normal day off, an additional compensatory day will be granted.
5. Holiday pay shall be computed as the base hourly wage rate times the normally scheduled work hours in a work day.
6. Whenever any conflict or doubt arises as to the date of the holiday observance, the date shall be as determined by the Town Manager.
7. All regular part-time employees shall be eligible to receive holiday pay equivalent to the employee's normal work day (total hours) as determined by the supervisor. Regular part-time employees are eligible to receive such holiday pay only if he/she is scheduled to work during the same payroll period in which the holiday falls.

B. VACATION

Vacation privileges are available to full-time employees. Each full-time employee shall earn vacation with pay on the following basis:

1. Those having more than one (1) year of continuous service and less than six (6) years of continuous service shall be entitled to a vacation of 80 hours during the 12-month period following the employee's anniversary date of hire.
2. Those having completed six (6) years of continuous service shall be entitled to vacation of 120 hours during each 12-month period following the employee's anniversary date of hire.
3. Those having completed twelve (12) years of continuous service shall be entitled to a vacation of 160 hours weeks during each 12-month period following the employee's anniversary date of hire.
4. Those hired prior to January 1, 2000 and having completed twenty (20) years of continuous service shall be entitled to a vacation of 200 hours during each 12-month period following the employee's anniversary date of hire.
5. Vacations shall be granted at such time or times as shall be mutually agreeable to the employees and their department heads. Due consideration shall be given to an employee's seniority in regard to scheduling vacation.
6. Unused vacation hours may not accrue beyond the employee's next anniversary date of hire, and unused vacation time may not be converted to a wage value. However, an employee may carry up to forty (40) hours accumulated vacation leave for up to one-hundred twenty (120) calendar days beyond his/her anniversary date of hire with the prior approval of the Town Manager for good cause.

7. An employee shall not be allowed to work and be paid double his/her usual wage during his/her vacation period.
8. Accrued vacation leave shall be paid to an employee in good standing upon his/her separation from the service, or to his/her beneficiary or to his estate upon his/her death.
9. At the employee's option, the employee may trade in, on a 2:1 basis, up to eighty (80) unused earned sick leave hours at the time of the employee's anniversary date of hire for forty (40) supplemental vacation hours provided that the employee will retain a minimum of 240 hours of accumulated sick leave after the trade, and further provided that the supplemental vacation hours shall be taken within three (3) months following the employee's anniversary date of hire. Earned sick leave hours traded in shall be considered sick leave days taken for all purposes under Article IV (C).

C. EARNED PAID LEAVE

1. Earned paid leave (EPL) shall accrue for all covered Town employees, as defined by the Employment Security Act, 26 MRS §1043(11), at a rate of one (1) hour earned for every forty hours worked in one year of employment. A "covered employee" may include a person who is employed by the Town in a full time, part time or per diem capacity.
2. No more than 40 hours of earned paid leave will be accrued during any one-year period of Town employment. The one-year "EPL eligibility period" shall be defined as follows:
 - a. Existing Town employees hired prior to 1/1/2021: Accrual of EPL for existing employees will begin on 01/01/2021; such existing employees shall thereafter accrue and use EPL on a calendar year basis (January 1^s through December 31st annually).
 - b. Employees hired after 01/01/2021: Employees hired on or after 1/1/2021 will accrue EPL on a rolling one (1) year basis, commencing on their date of hire; such employees shall thereafter accrue and use EPL on an anniversary year basis.
3. Accrual of EPL begins on 1/1/2021, or at the start of Town employment if on or after 1/1/2021, as applicable.
4. Existing employees who have been employed more than 120 days as of 1/1/2021 may begin using EPL as of 1/1/2021. All other employees, including employees hired on or after 1/1/2021, may not use EPL until after 120 days of Town employment.

5. Covered employees with accrued and unused hours of EPL from the previous year of EPL eligibility (as defined on Section 2 above) will have those unused EPL hours available for (rolled over) in their next year of EPL eligibility, up to a maximum of forty (40) hours. EPL will thereafter continue to accrue up to forty (40) hours in their next EPL eligibility period; however, at no time in any given EPL eligibility period may any employee (i) have more than 40 hours of EPL in their EPL bank; (ii) continue to accrue EPL so that their EPL bank exceeds 40 hours; or (iii) use more than 40 hours of EPL in any given EPL eligibility period.
6. All EPL used will be paid at the employee's regular rate of pay as established in the week immediately prior to taking the earned leave.
7. EPL does not have any cash value and will not be paid out at termination of employment. Any employee who returns to work for the Town within a one-year period after their last day of previous employment will have any unused EPL balance reinstated.
8. EPL can be used for any purpose. If EPL is for a scheduled purpose the Town requires a four-week prior written notice. The Town can deny a requested date of use if it significantly impacts departmental operations.
9. EPL can be used in increments of one hour.

D. SICK LEAVE

1. Sick leave shall accrue to full-time employees at the rate of 8 hours for each full calendar month of service accumulative to a maximum of 480 hours. Full time employees hired prior to January 1, 1992 may accumulate up to 960 hours.
2. Sick leave may be used only when personal illness or physical incapacity of such a degree renders the employee unable to perform the duties of his/her position, or the employee has a contagious disease and should temporarily avoid close contact with other employees or citizens. If the illness or injury of a close family member requires the care and attention of an employee, up to forty (40) hours per year of accumulated sick leave may be used to provide such care and attention.
3. If requested by his/her department head, based upon a "just cause" basis, the employee shall furnish a certificate from an attending physician.
4. Whenever possible, the employee shall notify his/her immediate supervisor at least three (3) hours before the beginning of his/her scheduled shift as to his/her unexpected absence due to sick leave reasons.

5. Upon death, retirement or voluntary termination in good standing with ten (10) years uninterrupted service to the town, an employee shall be paid one-third (1/3) of unused sick leave, to a maximum of 160 hours. Full time employees hired prior to January 1, 1992 shall be paid one-half (1/2) of unused sick time to a maximum of 480 hours.
6. In lieu of payment for unused sick leave, employees in good standing may elect to credit the entire unused sick leave amount, up to 480 hours, to MSRS or credited service. (See MRSA Sect. 18356).
7. The Town shall establish a Retiree Health Savings Plan through the ICMA-RC or comparable plan and institution for all hourly wage (non-salaried) employees. The town shall contribute annually to the employee's Retiree Health Savings Plan a sum equal to \$6.25 for each unused earned sick leave hour which is in excess of the 480 hours sick leave accumulation cap for employees hired on or after January 1, 1992. The town shall contribute annually to the employee's Retiree Health Savings Plan a sum equal to \$8.75 for each unused earned sick leave hour which is in excess of the 960 hours sick leave accumulation cap for employees hired prior to January 1, 1992.

E. TOWN OF YARMOUTH EXTENDED SICK LEAVE POLICY

PURPOSE: To establish a procedure through which eligible employees may voluntarily donate a portion of their accrued vacation, personal leave or unused holiday compensation leave balance to credit the paid sick leave allowances of another employee of the Town of Yarmouth who has exhausted sick leave, vacation, holiday time and comp. time hours due to his/her extended illness or disability.

POLICY: All full-time or regular part-time employees will be considered eligible to participate in this program.

PROCEDURES:

1. Donations of accrued vacation, personal days or holiday hours must be in whole days calculated as 8 hour increments, with a minimum of one day per donation, multiple days can be donated.
2. The program will be administered through the Payroll Office and Town Manager. The employee who is to be a recipient of donated hours must consent to receive such donations and must have exhausted all other accrued compensable leave. The availability or use of compensable leave, whether earned or donated, shall not be deemed to constitute a job retention right beyond such rights extended by law or policy. No employee receiving worker's compensation benefits for lost wages shall be eligible to receive donated time.
3. Any employee wishing to donate accrued vacation, holiday compensation time, or personal leave time must authorize such donation in writing and must

specify the type and total of hours to be donated and the employee to be benefited.

4. All donations made and used will be based on the benefited employee's base hourly rate of pay. No adjustment shall be made for pay differentials between the hourly rate of the donor and donee. In no event shall payments to an employee from earned and donated sources exceed his/her regular scheduled pay period earnings.
5. All donations will be processed when a written authorization is received from the employee. Once the application to donate is received, the donor releases all rights to recover any time listed in the application, no exceptions or appeals will be allowed.
6. If the benefited employee shall return to work before exhausting all donated time, he/she will be credited with 40 hours of sick leave or the amount of unused donated time, whichever is less.
7. The maximum number of days to be awarded shall not be more than 12 weeks.
8. Donated sick time paid to any benefited employee shall be treated as wages and therefore taxable income to the recipient.
9. Time donated by the donating employee shall not be treated as income to the donating employee unless required by the IRS or Maine Revenue Services.
10. The Town will not inform the recipient of the names of those donating days or the amount of time donated by any individual employee or department.

DONATIONS OF SICK LEAVE OR VACATION BY EMPLOYEES:

1. Are voluntary
2. Are made from accrued vacation, personal days or holiday leave time balances
3. May not be made from future (yet unearned) vacation, personal days or holiday leave hours
4. Must be in 1 day increments, with a minimum of 1 day (1 day = 8 hours)
5. Are irrevocable, and if any donated hours over 40 hours remain at the end of the recipient's catastrophic leave, they shall be lost.
6. Are taxable on the part of the recipient when paid, in accordance with IRS regulations, and are subject to withholding as required by law.
7. Does not extend Family Medical leave rights.

TO RECEIVE SICK LEAVE DONATIONS:

1. An employee must be absent from work due to his/her own catastrophic illness or injury (as verified by a physician's statement) or to attend his/her immediate family member who has a catastrophic illness or injury (as verified by a physician's statement) for more than twelve consecutive work days.
2. An employee must have exhausted all earned leave balances (sick leave, vacation, comp. time, and holiday credits), except however, the appointing authority may approve the solicitation/acceptance of leave donations prior to all balances being exhausted, when the physician's statement and leave balances indicate the probable exhaustion of balances within two pay periods.

3. No donated time can be used by the recipient for vacation time.
4. Employees who have a leave of absence status will not be able to receive any days from the bank.
5. Additional time (compensation) received by the employee shall be less any applicable tax, retirement or benefit withholdings.

ADMINISTRATIVE RESPONSIBILITY: The Finance Director shall be responsible for maintaining this program.

**TOWN OF YARMOUTH
EXTENDED SICK LEAVE POLICY
VACATION, UNUSED HOLIDAY AND PERSONAL DAYS WAIVER AND
DONATION AUTHORIZATION FORM**

Having read and understood the Town of Yarmouth's Extended Sick Leave Policy and subject to the terms and conditions set forth therein, I hereby voluntarily waive my entitlement to and donate: _____ hours of: my accrued vacation, and/or _____ hours of my accrued holiday compensation hours, and/or _____ hours of my earned personal days off.

Such donation shall be credited to the sick leave hours in equal number of hours to _____ (name of benefited employee).

EMPLOYEE DONATING DAYS:

Print Name:

(First) (Last)

Department:

I understand that, upon submission of this form, the Town of Yarmouth payroll office shall deduct such accruals as I have indicated above from my payroll accrual totals and such deductions are irrevocable.

Employee's Signature:

Date:

Return form to the Finance Director

**TOWN OF YARMOUTH
EXTENDED SICK LEAVE POLICY
SICK LEAVE REQUEST FORM**

EMPLOYEE REQUESTING SICK DAYS:

Print

Name: _____

(First)

(Last)

Department:

Nature of illness/injury:

(attach Doctor's note)

Illness/injury is for: Self _____ or Family Member _____

Expected duration of leave: _____

(Attach Doctor's note)

Is this illness/injury covered by Worker's
Compensation? _____

Are you or will you be receiving compensation from any insurance plan (income
protection, etc.) regarding this illness/injury? _____

Having read and understood the Town of Yarmouth's Extended Sick Leave
Policy and subject to the terms and conditions set forth therein, I hereby request
_____ sick days.

Employee's Signature:

Date: _____

Return form to the Finance Director

F. BEREAVEMENT LEAVE

Any full-time or regular part-time employee who suffers the death of a spouse, child or stepchild shall be granted, upon notice to his/her department head, a leave of absence of up to three work days. Any employee who suffers the death of a parent, brother, sister, step-parent or grandparent shall be granted, upon notice to his/her department head, a leave of absence of a minimum of one work day and up to a maximum of three (3) work days at the discretion of his/her department head. During such leave, employees shall be compensated at the regular rate of pay. If an employee shall require additional time, he/she may draw upon accumulated sick leave or vacation time, if available. Any full-time employee who suffers the death of another close family relative may be granted up to three (3) work days bereavement and funeral leave without compensation at the direction of the Town Manager. A work day shall be equivalent to the number of work hours that the employee would have been assigned to work but for the bereavement leave, all as determined by the supervisor.

G. LEAVE OF ABSENCE

In those cases where unusual circumstances compel a full-time employee to be away from work, he/she shall request leave without pay from the department head in advance, giving the reason for and the probable duration of the leave. The department head shall, with due regard to the employee's needs, approve or disapprove the leave, in writing, and in case of disapproval shall advise the employee the reasons thereof.

H. MILITARY SERVICE

1. Whenever any employee has entered into the United States Military Services, his/her seniority, vacation (as provided for in this policy), and reinstatement shall be governed by applicable federal law.
2. An employee who at the time of leaving active employment to enter military service of the United States has qualified for a vacation in the year of such entrance and who has not received a vacation or vacation allowance shall be granted such allowance.
3. The Town shall pay an employee called for active military reserve service the difference between his/her military reserve pay and his/her base weekly Town earnings upon presentation of an official statement of such military pay amounts, and dates of service. Such pay differential shall only apply if the Town base pay is greater than the military reserve pay and shall be limited to a period not greater than eighteen months in any three year period.
4. The Town shall pay an employee who is meeting his/her military reserve training requirements the difference between his/her military reserve training pay and his/her base weekly Town earnings upon presentation of an official

statement of military reserve pay amounts and dates of service. Such pay differential shall only apply if the Town base pay is greater than the military reserve training pay and shall be limited to a period not greater than two weeks in any twelve month period.

I. JURY PAY

The Town shall pay a full time or regular part time employee called for jury duty the difference between his/her regular pay and his/her juror's pay upon presentation of an official statement of jury pay received. Employees excused from jury duty must report back to work during their normal shift hours.

J. INSURANCE

1. Life - The Town pays one hundred (100%) per cent of the employer and employee share of Basic Group Life Insurance for full-time employees who accept life insurance coverage under the Maine State Retirement System Group Life Insurance Plan.
2. Hospitalization - For full time employees, as defined, Town participation in the cost of Group Hospital, Surgical and/or Major Medical Insurance premiums is eighty-five percent (85%) of a single person, dependent, or family subscription level premium. Coverage is currently provided through the Maine Municipal Employees Health Trust (MMEHT). Employees may elect the POS C plan or an alternative lower premium plan as may be available through MMEHT.
3. Effective January 1, 2016 the Town will offer the PPO 500 Plan through the MMEHT with the same Employer/Employee premium cost share of 85% / 15%.
4. In addition, for those employees who elect the PPO 500 Plan the Town shall establish on January 1, 2016 a Health Reimbursement Account to reimburse the first calendar year annual \$500 of eligible Deductibles and/or Co-Insurance payments for the employees, and the first annual additional \$500 for dependents covered (combined total of \$1,000/year). The program shall be administered in accordance with applicable HRA Administrator and IRS Rules and the Town shall pay the administrative fees therefor. HRA benefits are deemed tax exempt payments and not reported as income.

5. Buy Outs:

The Town agrees to pay a lump sum of twelve hundred dollars (\$1,200) per year to any employee who elects no Health Insurance for an entire year. The Town agrees to pay a lump sum of twelve hundred dollars (\$1,200) per year to any employee with eligible dependents or families who elects no Health Insurance for an entire year for those dependents. These buy-out options are

cumulative up to \$2,400 and, may be pro-rated monthly. Buy-outs should only be chosen by employees who can provide alternative health overages.

6. For employees regularly working at least 28 hours per week but less than 35 hours per week, the Town will provide 85% premium contribution for the single person coverage level under the MMEHT PPO 500 plan or contribution in an equal amount to an alternative plan as may be available through MMEHT. Employees may elect to add dependent or family coverage with no additional Town contribution.
7. For employees regularly working at least 20 hours per week but less than 28 hours per week, may elect to enroll in any MMEHT Plan made available through the Town for the single, dependent or family coverage levels. There shall be no Town contribution toward the premium.
8. Domestic Partner Coverage
 - a. The Town will authorize employees to “pick-up”, at their own expense, health coverage for a domestic partner. The town’s premium participation or buy-out option shall not include the domestic partner portion. A domestic partner shall be defined as by 24-A MRSA Section 2741-A.
9. Income Protection - The Town affords full time employees the opportunity to participate in the Maine Municipal Association Income Protection Plan with the cost of premiums to be borne by the employee.
10. Dental – For full time employee’s the Town agrees to pay the employee coverage under Option A of the Maine Municipal Employees Health Trust Dental Plan or a comparable program, group or carrier. Pursuant to the program rules, employees may elect to cover eligible dependents at the employee's own cost. Automatic payroll deductions will be instituted from employee's pay checks to cover any such elected coverage.
11. Workers Compensation Insurance -The Town of Yarmouth provides workers compensation insurance protection for all its employees as required by law. In addition, the Town will pay for up to three days of sick leave to any employee unable to work because of a job related injury or illness if such lost time is not compensated by the worker's compensation coverage.
12. Medical Cost Reimbursement Accounts – For full time employee’s the Town shall offer to establish and maintain medical cost reimbursement third party accounts authorizing employees to defer up to \$1,500 per year from wages on a pre-tax basis which may be used to reimburse the employee for medical, dental, vision or other uninsured family medical care costs.

K. RETIREMENT

In addition to Social Security, the Town offers opportunities for retirement planning or deferred compensation programs to its full-time employees.

1. Maine State Retirement System participation is available to all full-time employees. Benefits, contributions and program rules are all established by the Retirement System and are applicable to participating employees.
2. In lieu of the Maine State Retirement System plan, full-time employees may elect to participate in the International City Management Associations Retirement Corporation (ICMA), Section 401 deferred compensation program. The Town will match, up to 6% of employee earnings, which are contributed to the deferred compensation program. All program rules, investment options, and payment options are established by ICMA-RC and are applicable to participating employees. Effective July 1, 2008, the Town will amend the plan to provide an even match contribution of up to 7% for employees who elect to defer up to 7% of employee base earnings.
3. In addition to MSRS and /or the ICMA-RC Section 401 options, any full-time employee may elect to participate in the International City Management Association Retirement Corporation, Section 457 deferred compensation program. An employee may elect to defer as much or little of his/her earnings to the Section 457 program as allowed by law and ICMA-RC rules. The Town does not match the employee contributions. All program rules, investment options and payment options are established by ICMA-RC and are applicable to participating employees.

L. SOCIAL SECURITY

The Town participates jointly with employees in Social Security payments. Benefits provided include a retirement feature, survivor's payments if death occurs before retirement, disability insurance and Medicare coverage.

ARTICLE V

Disciplinary Action and Grievances

The following provision applies to all non-probationary employees.

A. DISCIPLINE, DISCHARGE AND SUSPENSION

1. The Town shall base disciplinary actions or measures on a "good and sufficient cause" basis.
2. The appointment authority shall have the right to demote, discharge or suspend without pay for no more than fourteen (14) calendar days any employee whose work performance or conduct, in the judgment of the appointing authority, justifies such action. Notice of such action against an employee must be in writing and filed with the employee not later than the effective date of the action.

Such notice shall specify the penalty and contain a statement of the reason or reasons therefore. The employee shall have the right of appeal as outlined in the Grievance Procedure.

B. GRIEVANCE PROCEDURE

1. Any employee who deems himself or herself aggrieved will have recourse to a strictly impartial hearing, providing the following steps are taken:
 - a. Step 1. The employee should present the grievance orally within seven (7) days of its occurrence to his/her department head or immediate supervisor. In the event the grievance is not resolved at this level within seven (7) working days, the employee may then refer to step 2.
 - b. Step 2. The unresolved complaint may be referred in writing to the Town Manager through the employee's immediate supervisor within ten (10) calendar days. The Town Manager, department head and employee will meet to discuss the grievance. The Manager shall give a written reply within one week. The decision of the Manager shall be final.

ARTICLE VI

A. POLITICAL ACTIVITIES

While working for the Town, employees shall refrain from seeking or accepting nomination or election to any office in the Town government, and from using their influence publicly in any way for or against any candidate for elective office in the Town government. Town employees shall not circulate petitions or campaign literature for elective Town officials, or be in any way concerned with soliciting or receiving subscriptions, contributions or political service from any person for any political purpose pertaining to the government of the Town. This rule is not to be construed to prevent Town employees from becoming, or continuing to be, member of any political organization, from attending political organization meetings, from expressing their views on political matters or from voting with complete freedom in any election.

B. BULLETIN BOARDS

A least one bulletin board will be set up within easy access to each department for the purpose of advertising job position openings, public notices, department regulations, etc.

C. JOB POSTING

1. In the event of the opening or reopening of a job or department, the jobs made available shall be posted for a period of forty-eight (48) hours. Selection of employees shall be governed by:

- a. Evidence of skills, ability or knowledge of operation disclosed by the personnel file or written experience records of the employee from former employers, or evidence showing completion of training period from a recognized institution for training.
 - b. Adaptability.
 - c. Length of continued service.
2. Any employee who disqualifies himself/herself after being awarded a job will not be eligible to seek another job for three (3) months. An employee will not be permitted to seek another job during his/her trial period.
 3. The trial period for transferring from one job or department to another shall be thirty (30) days. During the thirty (30) day trial period the employee may be returned to his or her former position and pay without penalty at the discretion of the Town or the employee.

D. EMPLOYMENT

1. The employment of all personnel shall be the responsibility of the department head and the Town Manager, except in the case of (1) department heads which shall be subject to the approval of the Town Council, and (2) those officials specifically designated by the Town Charter, ARTICLE II, Sec. 3 as Council appointments.
2. All applicants must submit a written application for employment.
3. All employees are considered probationary for the first six months of employment. If they are to be retained as regular employees for the purpose of figuring benefits, seniority, etc., the initial date of employment is considered as the anniversary date of the individual. Any probationary employee may be dismissed at any time, with or without cause, by the Town Manager. Probationary employees accrue, but may not take sick, or vacation leave.
4. Employees must maintain any applicable state, professional or federal licenses, certifications and authorities essential to their job performance which are required by law or agency rule. Examples for illustrative purposes only may include: a valid Maine Drivers License, certification from the MCJTA, local plumbing inspection certification, American Red Cross, WSI certification, etc.

E. TOWN TRAINING PROGRAMS

Wages, hours, and working conditions applicable to training programs instituted by the Town shall be established by the Town Manager subject to approval of the Council.

F. PROMOTION

The Town Council desires that Town employees be given maximum opportunity for advancement in the service. Present employees shall be given first consideration in filling a vacancy and may be given training opportunities to qualify for promotion, but it is recognized that, from time to time, the good of the service will require that a vacancy be filled from outside the service. Such a decision shall be made only after careful review of the qualifications of all Town employees who apply for the position.

G. RESIGNATION

All employees resigning from the service of the Town shall give a reasonable written notice, normally two weeks, but at least one work week shall be required. The notice of resignation shall be in writing. Failure to give the minimum notice shall render the employee's status to "not in good Standing" unless waived by the Town Manager for good cause.

H. TRAVEL

1. Municipal employees who are on official business of the Town away from the office shall be paid for expenses of such trips. The mode of travel shall be by the methods of transportation which will result in the greatest advantage to the Town.
2. When travel is by private automobile, the employee shall be remunerated for the use of his/her vehicle at the rate determined by the Town Manager.
 - a. When two or more persons travel together on official business, costs shall be paid to one employee based on the total official mileage involved.
 - b. Costs such as tolls and parking meters shall be added if actual expense occurred.
3. All authorizations for remuneration or reimbursements for travel expenses shall be made by the Town Manager prior to the trip.
4. Travel costs shall not be incurred for travel between employee's home and principal point of employment in a regular and routine performance of work.

I. SAFETY

1. All accidents to personnel, no matter how minor, during the work schedule must be reported immediately to the department head and a written report shall be made on forms for that purpose.

2. All employees suffering an accident may be sent to a doctor at the direction of the Department Head or at the request of the employee for examination at Town expense.

J. SUGGESTIONS

The Town Council welcomes constructive suggestions from employees which might help improve working conditions or policies. Suggestions are also welcome which might render better service to the taxpayers or help cut down unnecessary labor and supply costs.