



PERSONNEL POLICY

Approved December 14, 2020

6

HANDBOOK FOR EMPLOYEES
OF THE
TOWN OF PARIS, MAINE

TABLE OF CONTENTS

I. GENERAL INFORMATION.....	1
II. DISCLAIMERS.....	1
III. CONDITIONS OF EMPLOYMENT.....	1
1. Equal Employment Opportunity/Affirmative Action.....	1
2. Recruitment.....	2
3. Classification of Employees.....	2
4. Employment Requirements.....	2
5. Evaluation of Probationary Performance.....	2
6. Promotions.....	3
7. Compensation.....	3
8. Insurance Benefits.....	4
9. Attendance.....	5
10. Holidays.....	6
11. Vacations.....	6
12. Earned Paid Leave.....	7
13. Leave of Absence.....	7
14. Personnel Records.....	16
IV. RETIREMENT.....	17
1. Pension Plan.....	17
2. Social Security.....	17

V. GENERAL PROVISIONS.....	17
1. Corrective Action.....	17
2. Grievance Procedure for Corrective Action.....	18
3. Personal Complaints and Formal Complaint Process.....	18
4. Freedom from Harrassment.....	20
5 Tobacco in the Workplace.....	21
6. Drugs and Alcohol.....	22
7. Weapons and Firearms.....	24
8. Theft.....	24
9. Integrity.....	25
10. Notice of Intent.....	25
11. Layoffs/Job Elimination.....	25
12. Unemployment.....	26
13. References.....	26
14. The Public and Employee Relations.....	26
15. Expenses.....	28
16. Tuition Reimbursement.....	28
17. Parking.....	28
VI. PROCEDURES: DAILY OPERATIONS.....	29
1. Cell Phones, Internet Access and Electronic Mail.....	29
2. Productivity.....	31
3. Personal Appearance/Dress Code.....	31
4. Clothing Allowance.....	31
5. Building Security.....	31
6. Town Owned Property.....	32
7. Personal Property.....	32
8. Public Use of Files and Records.....	32

9. Employee Purchases.....	32
10. Wage Garnishment.....	32
11. Legal Notices and Inquiries.....	32
12. Mail.....	33
13. Gratuities, Gifts and Anti-Nepotism.....	33
VII. PROCEDURES - EMERGENCY.....	33
1. Telephones.....	33
2. Planning Procedure.....	33
VII. APPROVAL.....	35
EMPLOYEE RECEIPT AND ACKNOWLEDGEMENT.....	36

I. GENERAL INFORMATION

The Town of Paris (the Town) is a municipality incorporated on June 20, 1793. South Paris, the main business hub, is a section of the Town. The Town is governed by a five-member Board of Selectmen (the Board) elected for three-year staggered terms. The Board establishes all policies, procedures and courses of action, subject as required and where appropriate to the vote of citizens at Town Meetings. The Board hires the Town Manager as its chief administrator. It is the Town Manager's responsibility to hire, supervise and make personnel decisions, delegating responsibility to other managerial personnel within the Town as may be appropriate. The content, amendments or deletions to this personnel policy must be approved by the Board before being implemented.

It is the intent of the Board that all employees of the Town should be treated in a respectful and professional manner. The Board recognizes the importance of each employee's contribution to an efficient, quality administration. It is the goal of the Town to provide exceptionally high-quality service and support to its citizenry and the municipal function. Accordingly, town employees have a special responsibility and obligation to adhere to a high standard of professionalism, commitment and diligence.

The following policies and procedures, having been approved by the Board, shall serve as a guide for the Town Manager and the management team in the administration of personnel activities. These policies and provisions are applicable to all employees unless specifically set forth otherwise in this Handbook.

II. DISCLAIMERS

Although these policies and procedures codify the responsibilities and benefits of Town employees, this document does not create legally enforceable rights. ***This Handbook is not a contract for employment, and nothing in this Handbook shall be construed as affording employees any contractual rights.***

Where this document contains descriptions or references to insurance or other benefit plans, the specific provisions of the benefit plan will take precedence and govern should a conflict arise regarding interpretations, applications or a benefit level.

The Town may change, amend, repeal or modify any of these policies or procedures at any time for any reason.

III. CONDITIONS OF EMPLOYMENT

1. Equal Employment Opportunity/Affirmative Action

It is the policy of the Town of Paris to provide equal opportunity to all employees and applicants without regard to race, color, religion, ancestry, sex, age, national origin, sexual orientation, marital status, physical or mental disability, genetic information or history, veteran's status or any other category protected under federal, state or local law. Employees can refer to state and federal posters that are displayed within each department.

2. Recruitment

The Town shall employ the best qualified persons available at the salary levels established for town employment. In the case of equally qualified individuals, first preference will be given to citizens of the Town. Within the time limits during which a position must be filled, there shall be as wide a search for qualified candidates as is practicable. The character of a search may vary from position to position, may include internal posting, advertising, open competitive examinations, and contact with special sources. It shall be the duty of the Town Manager to seek the best qualified employees for the Town. The Town is under no obligation to accept or consider unsolicited applications and letters requesting Town employment. In addition, the Town reserves the right at all times to revise the qualifications of the position, to re-open any job search, or end the process without hiring any applicant.

3. Classification of Employees

A. Full-time:

Covers positions formally established by the Board having physically worked a schedule of at least 40 hours a week.

B. Part-time:

Covers positions formally established by the Board having physically worked a schedule of less than 36 hours per week on a regular basis.

D. Seasonal:

Covers seasonal workers with a weekly work schedule of at least 40 hours for a specified seasonal period of time: Example: A summer employee.

4. Employment Requirements

- A. Applicants must submit a written application for employment on a form provided by the town. In some circumstances a personal resume may be requested. Physical examinations and drug testing may be required, depending upon the nature of the job/department.
- B. Formal employment of personnel shall be the responsibility of the Town Manager as authorized and approved by the Board.

5. Evaluation of Probationary Performance

- A. Within the 30 days prior to the completion of probationary period, a formal written evaluation will be completed by the supervisor. A successful evaluation will result in the probationary employee being granted regular status. Thereafter, the employee will be evaluated, formally and in writing, at least annually.

- B. Upon appointment or promotion, all employees shall be subject to a period of probation that shall be for a period of 180 calendar days. Police officers shall serve a one (1) year probationary period. Promoted employees must serve a probationary period in the new position, and have no right to reinstatement to their former position.
- C. During the probationary period, the appointing authority may remove the probationer at any time if his/her work and/or conduct are found to be below satisfactory standards.
- D. All appointments and promotions shall, to the extent possible, be accompanied by written job descriptions, terms and conditions of employment such as salary, benefits, hours of work and any special circumstances.

6. Promotions

Employees shall be given opportunities for advancement in the organization. Present employees will be given notice and consideration in filling vacancies and may, in the discretion of the Town Manager and if budgeted, be given training opportunities to qualify for promotion; however, the Town retains the right at all times to fill any vacancy from outside the organization if it is in the best interests of the Town.

7. Compensation

The Town will endeavor to offer competitive pay. (Final adoption of any pay plan/wage scale rests with the Board, and is at all times subject to budgetary constraints.)

A. Pay Procedure:

Payroll is distributed weekly, either by direct deposit into an employee's personal account or by check. The Town does not loan or advance pay to employees. Discrepancies or errors in amounts or deductions should be brought to the attention of the payroll office immediately. Any adjustments required to correct a discrepancy will be made within 14 days. Any overpayment to an employee shall be repaid as permitted by Maine statute.

B. Exempt/Non-Exempt and Overtime:

Under the federal Fair Labor Standards Act, jobs are classified as exempt from the time-and-a-half overtime pay requirement, or non-exempt, meaning the job qualifies for overtime. This job distinction is made clear at hiring, and shall be incorporated into the job description.

1. The basic workweek is 40 hours worked. Vacation, Sick and Holiday hours not worked will not be used towards hours worked when computation overtime calculations. Overtime hours must be approved in advance by the appropriate supervisor or the Town Manager. Non-Exempt employees are required to submit a weekly time sheet documenting all hours worked and overtime hours.

C. Exempt Position:

Exempt employees must submit a time card only when using Sick or Vacation days.

8. Insurance Benefits

In accordance with the existing insurance policies of the Town, the Town provides health and dental insurance coverage to regular full-time employees, and life insurance coverage to regular full-time and regular part-time employees.

A. Group Medical Insurance:

The Town provides 90 percent coverage for employees under its group medical insurance plan effective July 1, 2020, and 80 percent of employee dependent coverage. The employee pays the remaining 20 percent for dependents through a weekly payroll deduction. A certificate of coverage is issued by the insurer at enrollment along with detailed information on exclusions, deductible amounts and terms and conditions.

Domestic Partner:

Effective November 25, 2018, the Town of Paris amends its personnel benefit policy to allow any employee who is eligible to enroll in the employer benefits the option to enrolling a domestic partner.

Any employee who wishes to add a domestic partner will be advised of the requirements set forth in the Domestic Partner Affidavit to add said partner. Furthermore, said employee has been advised there could be tax implications for adding a domestic partner.

The Domestic Partner of an Employee shall be:

- (1) A life partner of either the same sex or opposite sex of the employee;
- (2) Not legally married or separated, to either the employee or anyone else;
- (3) At least 18 years of age and mentally competent to consent to contract;
- (4) Are each other's Domestic Partners and intend to remain so indefinitely;
- (5) Have been each other's Domestic Partner for at least 12 months prior to the date of the signed Affidavit;
- (6) Are not related by blood to a degree of closeness that would prohibit marriage in the State of Maine;
- (7) Are jointly responsible for each other's common welfare; share financial obligations and share their primary residence.

B. Dental Insurance:

The plan includes preventive, basic and major dental expense coverage for regular full-time employees, in accordance with the existing insurance policies of the Town. Group rates are available for dependents through a weekly payroll deduction plan.

C. Life Insurance:

The Town provides employees with a life insurance policy equal to one times their, annual salary. To activate this benefit, an employee must obtain, complete and submit an application form to his/her supervisor. Beneficiaries may elect to take pay in a lump sum or by an optional method of settlement. Employees are eligible for coverage on the first day of the month following their date of hire in accordance with the existing insurance policies of the Town.

D. Employee Assistance Program:

Please see the Human Resource Department for information regarding this provided program.

9. Attendance

Every employee is expected to report to work regularly and on time. Good attendance is an important job requirement and an essential duty in every position. Failure to meet this requirement could result in discipline up to and including dismissal. Excessive absence or lateness, even when reported, may also be grounds for discipline or dismissal.

Absence includes all time lost from the work schedule, whether avoidable or unavoidable, voluntary or involuntary. An employee is absent when failing to report for or remain at work as scheduled. Lateness is a short absence at the start of the work day. Leaving early, even with permission, is also an absence.

A. Notification:

Employees must clear planned absences in advance with their supervisor, allowing as much notice as possible. When an absence is unplanned due to illness, emergency, or similar circumstance, employees must report the absence to their supervisor before the start of their scheduled work shift on the first day of the absence. In the case of longer absences, employees must report their status to their supervisor once every three working days, unless waived by the Town Manager. Notification of status from anyone other than the absent employee is not acceptable, unless under emergency conditions.

B. Excused:

An excused absence may include personal or family illness, jury duty, bereavement or other reasons causing an employee to lose part or all of a scheduled work day.

C. Fitness Reports:

If an employee is absent frequently, medical documentation may be required to justify the absence(s). Employees may be required to produce a fitness-for-duty certificate to return from an absence along with what your limitations may or may not be.

E. Inclement Weather:

Early departure from work due to inclement weather will usually be with pay. Employees should telephone supervisors to determine circumstances. The Town Manager will make the determination for unscheduled closings. If an employee chooses to leave early they must use vacation or sick time. If the Town Manager closes the office, then the town will pay the employees (only for not essential services).

10. Holidays

The Town observes the following paid holidays:

- New Year's Day,
- Martin L King Day (third Monday in January),
- President's Day (third Monday in February),
- Patriot's Day,
- Memorial Day (last Monday in May),
- Independence Day-July 4,
- Labor Day (first Monday in September),
- Columbus Day,
- Veteran's Day,
- Thanksgiving Day (Fourth Thursday in November) *Premium holiday
- Day after Thanksgiving Day,
- Christmas Day. *Premium holiday

Full time employees required to work on a Holiday are paid at one time and a half their normal rate of pay. Full time employees required to work on a Premium Holiday will be paid at double time and a half their normal rate of pay.

Should working on a holiday put the non-exempt employee into overtime, overtime hours will be paid at one time and a half plus the additional holiday or premium holiday pay.

Part time employees are not eligible for Holiday or Holiday Premium pay.

11. Vacations

Full-time employees will be awarded paid time off (vacation time) at their regular rate of pay beginning on the anniversary month of their employment in accordance with the following schedule:

- 40 hours after six months of employment
- 40 hours after one year of employment
- 80 hours annually after two years of employment
- 120 hours annually after five years of employment
- 160 hours annually after ten years of employment
- 200 hours annually after fifteen years of employment

Vacation request shall be submitted for review to their immediate supervisor no later than 30 days prior to the first day of the requested vacation day. Vacation request submitted for the same dates will be awarded to the employee who submitted their vacation request first.

Vacation time awarded to employees is intended to give employees a break from the work schedule. Employees are required to take 1 consecutive week (5 working days) in a calendar year. It is the intention of the town that employees use all of their awarded vacation time during the year that it was awarded. Vacation time earned and not used shall be lost, except as follows;

1. Two weeks of Vacation, 80 hours, not used at the end of an anniversary year may, under certain circumstances, be carried forward to the next anniversary year but only with the prior approval of the Town Manager.
2. Employees wishing to carry over 2 weeks or 80 hours in accordance with this provision must do so by written notification submitted to the Town Manager no later than 30 days prior to their anniversary date.

Employees may be limited to the number of consecutive vacation days they are allowed. The normal standard for use of vacation time will be a maximum of two weeks (ten consecutive work days) including holidays. The limit on consecutive days used may be waived by the Town Manager at his/her discretion and the Town's needs.

Upon retirement or death, an employee will be compensated for unused awarded vacation time.

Upon involuntary separation or termination, employees will not be compensated for unused awarded vacation time.

Upon voluntary separation or resignation, employees who provide a working notice of at least 2 weeks will be compensated for unused awarded vacation time.

12. Earned Paid Leave

In June of 2019, Governor Mills signed into law LD 369 which requires employers of 10 or more employees to provide employees earned paid leave (EPL). Like paid sick leave, EPL accrues on hours worked, but unlike paid sick leave, it may be utilized for any reason. The effective date of the Earned Paid Leave Act is January 1, 2021.

Accrual and Carryover: Begins at the start of employment at the rate of 1 hour per 40 hours worked, up to a cap of 40 hours of EPL per calendar year.

New Employees will have a waiting period of 120 days before they may begin using EPL. Current employees who have been employed for 120 days or more may begin using EPL as soon as it is earned.

Accrued, unused EPL carries over to the next year, up to the 40-hour maximum cap. EPL does not have a cash-out option. EPL will not be paid out upon separation.

Usage: EPL must be taken in minimum increments of at least 1 hour. EPL taken in excess of 3 days will be required to present a doctor's release to the Human Resources department that permits them to return to work.

Employee Notice and Scheduling: Employees must provide a 2-week notice for non-emergent use to their supervisor. Employees are required to submit a Paid Time Off form when requesting to use EPL.

Any employee who misses two consecutive days of work without notice to their supervisor will be considered to have voluntarily quit their job.

Rate of Pay: EPL is paid at the employee's regular base rate of pay.

13. Leaves of Absence

A. Sick Leave:

The Town Manager will grant appropriate paid sick leave. Medical documentation may be required for sick leave. Extended, unpaid sick leave must be mutually agreed upon by employee and Town Manager and will be subject to medical documentation and, if requested, a fitness for duty examination prior to returning to work. Sick leave accrues at 8 hours a month, 96 hours per calendar year, with a maximum amount accruable is 240 hours.

Unpaid, extended sick leave ordinarily governed by the Town's FMLA policy (see Section 13(B)). Under extenuating circumstances, such unpaid leave may be extended in the discretion of the Town Manager upon the request of the employee, depending upon the circumstances, the medical documentation provided and the Town's needs.

An employee must use accrued sick and earned vacation time before any such extended unpaid leave time is granted. Employees will not be entitled to earn additional benefits during the unpaid portion of the leave. For the paid portion, all existing employee benefits, accruals and health benefits will continue in place, and employees will continue making employee share contributions for applicable benefits. For any unpaid portion, the employee will be responsible for 100% of all applicable benefits.

B. Non-sick Emergency Leave:

A regular full-time or regular part-time employee (as defined in Section 3. Classification of Employees of this document) may qualify for emergency leave, not to exceed 30 calendar days, to address uncontrolled events (unrelated to military or injury leaves) that interfere with the employee's ability to meet his/her employment obligations. At the end of 30 days, the employee must return to work or be subject to termination.

Emergency leaves may be granted by the Town Manager subject to the following considerations: conditions surrounding the employee's request, purpose of the leave requested, employee's length of service, length of absence being requested, expected/potential length of service once the employee returns, department staffing needs, ability to cover the vacant position, and whether the leave causes an undue hardship or liability to the Town.

An employee request for emergency leave should include an explanation of the reason and circumstances for the leave, anticipated start date and duration of the requested leave, any intent to be employed elsewhere during the leave, any prospective employer's name and

address, specifics of such employment, if any. The Town reserves the right to contact the named employer to verify information.

Requests for leave should be made 30 days in advance for foreseeable events and as early as possible for unforeseeable events.

Employment elsewhere while on leave, without permission of the Town Manager, is prohibited and will subject the employee to immediate discharge.

An employee must use earned vacation time before any unpaid leave time is granted within the 30-day emergency period. Employees will not be entitled to earn additional benefits during the unpaid portion of the leave. For the paid portion, all existing employee benefits, accruals and health benefits will continue in place and employees will continue making employee share contributions for applicable benefits.

The Town shall have no liability for any injuries incurred by or caused by the employee while on a leave of absence.

The employee shall be reinstated to the same or similar position provided the employee returns to work immediately following the termination of the leave period. The employee must give immediate written notice if circumstances change and the employee no longer intends to return to work at the end of the approved leave.

C. Family Sick Leave

An employee may use up to a maximum of forty (40) hours of "Family Sick Leave" per calendar year due to the illness of a member of the employee's immediate family. "Immediate family" shall mean the following individuals living in the employee's household: spouse, domestic partner, father, mother, child, stepchild, or other family member. Family Sick leave may also be used for transporting such immediate family members to health care appointments. Eligible employees may use such time for doctor, dental and other health care provider visits. Employees utilizing such leave are required use any banked vacation or sick time during such period(s). Employees who have no such leave banked shall receive unpaid leave.

D. Family and Medical Leave (FMLA):

Please note that depending upon the number of employees employed by the Town, FMLA leaves provided under either the State or the Federal FMLA, or both, may not apply. Please be sure to check with the Town Manager when requesting FMLA leave to determine applicability and eligibility. Accordingly, the following FMLA description should not be considered a promise of eligibility, benefits or approval.

A. Federal FMLA

Eligible employees who have worked for the Town for at least twelve (12) months and at least 1,250 hours during their prior twelve (12) months with the Town may take up to twelve (12) weeks of unpaid leave (FMLA leave) for the following reasons:

1. Birth of a child of the employee;
2. Placement of a child into the employee's family by adoption or by a foster care arrangement;
3. Care of the employee's spouse, parent, or child who has a serious health condition;
4. Inability of the employee to perform the functions of the employee's position due to a serious health condition;
5. "Military Family Leave" due to "any qualifying exigency" arising out of the fact that the spouse, child, or parent of the employee is on active duty or has been notified of an impending call to active status in either the National Guard or Reserves.

B. State FMLA

In addition, employees who have worked for the Town for at least twelve (12) months and at least 1,250 hours during the prior twelve (12) months may take up to twenty-six (26) weeks of unpaid "Military Family Leave" leave to care for a seriously injured service member (regular armed forces, National Guard or Reserves) who is the spouse, child, parent or next of kin of the employee. The 26-week period includes any 12-week period permitted for any other qualifying FMLA reason.

Employees who have worked for the Town for 12 months but for less than 1,250 hours during the past year, and who are not eligible for Federal FMLA, may be eligible for a 10-week Family and Medical Leave under Maine law, and should follow the procedures set forth herein to apply for a leave.

Maine FMLA law permits family and medical leave to be taken for the following reasons:

1. Birth of a child of the employee or a child of the employee's domestic partner;
2. Placement of a child under 16 years of age into the employee's family by adoption or by a foster care arrangement;
3. The serious health condition of the employee's spouse, parent, child, sibling (who is jointly responsible with the employee for each other's common welfare as evidenced by joint living arrangements and joint financial arrangements), domestic partner, or domestic partner's child, or the death of one of the aforementioned individuals who is a member of the military and who dies while on active duty.
4. Inability of the employee to perform the functions of the employee's position due to a serious health condition;
5. The donation of an organ by the employee; or

6. The death or serious health condition of the employee's spouse, domestic partner, parent, sibling (who is jointly responsible with the employee for each other's common welfare as evidenced by joint living arrangements and joint financial arrangements), or child, if that person is a member of the military and dies or incurs a serious health condition while on active duty.

C. Procedures

Any FMLA leave taken by an employee during the preceding twelve (12) month period will be used to determine the amount of available leave pursuant to the Family and Medical Leave Act. For example, if an employee used four weeks of leave beginning February 1, 2008, four weeks of leave beginning June 1, 2008, and four weeks of leave beginning December 1, 2008, the employee would not be entitled to any additional leave until February 1, 2009. On February 1, 2009, the employee would be entitled to four weeks of leave, and on June 1, 2009, the employee would be entitled to an additional four weeks, etc.

The right to FMLA for the birth and/or placement of a child into an employee's family may only be taken within the twelve (12) months after the date of the birth or placement of the child. In the case of unpaid leave for the birth or placement of a child, intermittent leave or working a reduced number of hours is not permitted, unless both the employee and the Town agree. If both spouses are employed by the Town, the combined leave under federal FMLA shall not exceed twelve (12) weeks.

For purposes of this policy, a serious health condition means an illness, injury, impairment or physical or mental condition that involves:

- any period of incapacity or treatment in connection with or consequent to in-patient care in a hospital, hospice or residential medical care facility;
- any period of incapacity requiring absence from work or other regular daily activities for more than three (3) calendar days that also involves continuous treatment by or under the supervision of a healthcare provider; or
- continuous treatment by or under the supervision of a healthcare provider for a chronic long-term health condition that is incurable or so serious that if not treated would result in a period of incapacity of more than three (3) calendar days; or
- Prenatal care.

In the case of unpaid FMLA leave for serious health conditions, the leave may be taken intermittently or on a reduced hours basis only if such leave is medically necessary. Where an employee requests intermittent leave or leave on a reduced hours basis due to a family member's or the employee's own serious health condition, the Town has the option, in its sole discretion, to require the employee to transfer to a temporary alternative job for which the employee is qualified and which better accommodates the intermittent leave or reduced hours leave than the employee's regular job. The temporary position will have equivalent pay and benefits as the employee's regular job.

Employees are required to use their available vacation time during any unpaid FMLA leave period, and available sick/personal time is required to be used when unpaid family leave is taken because of the employee's serious health condition. In the case of family leave due to reasons other than the employee's serious health condition, the employee may opt to use available sick/personal time. The remainder of the FMLA leave will be unpaid. An employee on a FMLA leave may be eligible for benefits under the Town's Disability Leave Policy. Employees out on paid Worker's Compensation leave or paid Disability Leave may elect to use available sick and/or vacation leave during their absence, but are not required to do so.

When the necessity of leave is foreseeable due to the expected birth or placement of a child, the employee must provide the Town at least thirty (30) days' notice of the employee's intention to take leave. If the date of birth or placement of a child requires the employee's leave to begin in less than thirty (30) days from the date of notice to the Town, the employee must provide such notice as soon as practical. Where the necessity for leave is due to a family member's or an employee's own serious health condition and is foreseeable based on planned medical treatment, the employee must:

- give at least thirty (30) days' notice, or as soon as practical if treatment starts in less than thirty (30) days; and
- make a reasonable effort to schedule the treatment so as not to unduly disrupt the operation of the Town, subject to the approval of the healthcare provider.

Where the need for leave is unforeseeable, the employee must give notice as soon as practical. Any FMLA leave request based on a family member's or employee's own serious health condition must be supported by certification from a healthcare provider. The employee must provide a copy of the certification to the Town in a timely manner. (Fifteen calendar days will be allowed to provide the certification.) Certification from the healthcare provider must contain:

- the date the serious health condition began;
- the possible duration of the condition;
- the appropriate medical facts regarding the condition;
- if the leave is based on the care of a spouse, child or parent, a statement that the employee is needed to provide the care and an estimate of the amount of time that need will continue;
- if the leave is based on the employee's own serious health condition, a statement that the employee is unable to perform the functions of his/her job;
- in the case of intermittent leave or leave on a reduced hours basis for planned medical treatment, the date and duration of the treatment should be specified; and

- in the case of intermittent leave or leave on a reduced hours basis for medical conditions that do not necessarily involve planned medical treatment, an estimate as to the anticipated frequency and timing of the absences should be given.

During FMLA leaves of absence, the Town will continue to pay its portion of the health insurance premium and the employee must continue to pay his/her share of the premium. Failure of the employee to pay his/her share of the health insurance premium may result in loss of coverage. If the employee does not return to work after the expiration of any unpaid FMLA leave, the employee may be required to reimburse the Town for payment of health insurance premiums during the family leave, unless the employee does not return because of the presence of a serious health condition which prevents the employee from performing his/her job or circumstances beyond the control of the employee.

During FMLA leave, the employee shall not accrue employment benefits, such as vacation pay, sick pay, pension, etc. Employment benefits accrued by the employee up to the day on which the family leave of absence begins will not be lost.

The Town may require an employee on FMLA leave to report periodically on his/her status and the intention of the employee to return to work, and also periodic recertification of the medical condition. An employee taking leave due to the employee's serious health condition is required to obtain certification that the employee is able to resume work prior to the return from any FMLA leave. Employees with chronic or continuing health issues may be required to provide recertification every six (6) months.

Employees who return to work from FMLA leave within or on the business day following the expiration of the ten/twelve/twenty-six (10/12/26) weeks are entitled to return to their job or an equivalent position without loss of benefits or pay.

Upon returning to work from a FMLA leave within or on the business day following the expiration of the ten/twelve/twenty-six (10/12/26) weeks, up to two vacation days may be taken during the next 90 days.

Applications for FMLA leave must be submitted in writing and signed by the employee's immediate supervisor. Applications should be submitted at least thirty (30) days before the leave is to commence or as soon as possible if thirty (30) days' notice is not possible. All necessary forms are available from the Town Manager or his designee. Appropriate forms must be submitted to the Town Manager and/or his designee to initiate a family leave and to return the employee to active status.

Each employee taking leave that meets the requirements for FMLA leave will be provided the "Response to Your Request for Leave" form. Other forms relating to FMLA leave can be obtained from the Town office.

E. Military Leave:

The Town will grant military leave as necessary in compliance with all applicable state and federal laws and regulations. The employee is expected to return to work upon expiration of a granted leave or to have arranged an extension of a leave, granted at the discretion of the

employer. If applicable, employees may choose to continue insurance benefits for the duration of leave by assuming the Town contribution. Vacation and sick leave will not continue to accrue during the leave unless the employee is using earned time. The Town will comply fully with the Uniformed Services Employment and Reemployment Rights Act, USERRA.

1. Short term leave:

Regular full-time employees who are members of military reserves and who are required to perform annual field training duties will be granted military leave not to exceed two (2) weeks in a calendar year. All employee benefits will continue in place during short term leave. Notification of the need for such leave will be made to the appropriate department head at least four work weeks in advance of departure.

2. Long term leave:

Regular full-time employees called to active duty for an extended period of time should present to the Town Manager or department supervisor activation orders or appropriate documents accompanied by request for leave as soon as possible after notification. Upon return to Town employment, employees are entitled to reinstatement to former positions and certain other benefits. The cumulative length of an employee's military leave absence may not exceed five years, unless the employee, through no fault of his/her own, is unable to obtain release within the five-year limit. Federal/military life insurance, medical, dental and disability benefits will replace those previously extended by the Town.

With regard to retirement benefits, length of service continues to accrue during active military absence. If active employment is not re-established, length of service concludes on the last day worked.

3. Reemployment; Reinstatement:

A regular full-time employee concluding an active duty leave of absence must apply for reemployment/reinstatement within the applicable time provided by statute (in the case of extended military leave, a returning employee will be reinstated in accordance with the Uniformed Services Employment and Reemployment Rights Act of 1994, as amended). The employee will return to employment at a pay level and status equal to that which they would have attained had they not entered military service. An employee released from active duty and hospitalized for up to one year following release, must apply for reemployment/reinstatement within 90 days of hospital release.

4. Certified Disaster Service Volunteer:

An employee who is a certified disaster service volunteer under state law (30-A MRS §2705) may, upon the request of the American Red Cross, be granted leave to participate in specialized disaster relief services for the Red Cross, and with the approval of the municipal officers:

Be granted leave not to exceed 15 days per year without loss of pay, vacation time, sick leave, or earned overtime accumulation;

Be granted leave using the employee's compensated time off, with the employee's consent; or

Be granted a leave using a combination of paid leave and compensated time off. This provision applies only to relief services related to a disaster declared by the governor or the President of the United States.

F. Worker's Compensation:

The Town provides Worker's Compensation Insurance coverage for all employees. An employee who sustains a personal injury or compensable illness out of and in the course of his/her employment by the Town must notify the town as soon as possible. Employees may be eligible to receive workers Compensation as provided under the Town's policy. If a seven (7) day waiting period is imposed before Worker's Compensation payments begin, the Town will compensate the employee at his/her normal rate for work days lost during the waiting period.

G. Bereavement Leave:

A regular full-time employee who has completed at least three months of employment shall be excused from work for a period of up to five days because of death in the immediate family as defined below, and shall be paid the regular rate of pay for the scheduled (non-overtime) work hours missed.

"Immediate Family" is defined as a parent, spouse, sibling, child, grandchild, step-parent, step-sibling, step-child or step-grandchild, legal guardian or domestic partner.

Regular full-time employees meeting the above employment conditions shall be excused from work for a period of three days due to the death of an aunt, uncle, grandparent or in-law, and shall be paid the regular rate of pay for non-overtime work hours missed.

H. Jury Duty:

A regular full-time employee will notify the Town as soon as possible of his/her intentions to serve as a juror, and provide the town with a copy of any subpoena or order to appear. The employee will continue to be paid regular weekly wages during the term of jury service. As a condition of such payment, the employee must remit to the Town that portion of the juror's pay which represents the wages paid for the period served as a juror. An employee excused by the court shall be required to return to Town employ promptly thereafter.

I. Fitness for Duty Examinations:

The Town Manager or a supervisor may require a medical examination or other assessment if s/he has reason to believe the physical or mental condition of an employee may negatively impact the employee's ability to perform the duties of his/her position safely. Such examination will be paid by the Town and with a medical provider designated by the Town. If the employee is currently working, the employee will be put on paid administrative leave pending the completion of the medical providers report. An examination under this section

is limited to whether the employee remains capable of performing the essential functions of his/her position, with or without reasonable accommodation, or without threatening the safety of the employee or the safety of others. If, as a result of the examination and/or assessment, the supervisor or Town Manager concludes that the employee cannot perform the duties of the position, with or without reasonable accommodation, or cannot perform them safely, the Town shall take appropriate action, which may include transfer to another position, if one is available, a leave of absence, termination or retirement. Other medical examinations or monitoring in conformity with state or federal mandates may be required.

J. Leave for Victims of Domestic Violence:

In accordance with Maine Law, the Town will grant you a reasonable and necessary amount of time off from work without pay if you are a victim of domestic violence, domestic assault, sexual assault or stalking, and you need the time to:

- A. Prepare for or attend court proceedings,
- B. Receive medical treatment, or
- C. Obtain necessary services to remedy a crisis caused by domestic violence, sexual assault or stalking.

You must request the leave as soon as circumstances make it clear that time off is necessary.

Approval of leave will be dependent upon:

- A. whether your absence will create an undue hardship for the Town,
- B. whether you requested leave within a reasonable time, and
- C. whether the requested leave is impractical, unreasonable or unnecessary given the facts made available to the Town at the time of your request. If your leave is approved, you will be required to first use any accrued paid vacation or sick time before taking unpaid leave. Vacation and sick days do not accrue during your leave and holidays are not paid while you are on leave. You will not be discriminated against for taking or asking for leave.

14. Personnel Records

The Town is responsible for creating and maintaining centralized personnel files for all employees. Such files are governed by applicable state statutes.

It is the employee's responsibility to keep the Town informed of his/her current address, telephone number(s), insurance beneficiaries, change in name, marital status, number of dependents and details for emergency notification. Official communications between the Town and its employees will use the address in the personnel record.

Personnel files, in full or in part, are considered to be confidential documents. Only persons with a need-to-know may have access to personnel files. Permission to access such files must be granted by the Town Manager. An employee requesting access to his/her

personnel file must submit a written request to the Town Manager, establish an appointment for the review, and be accompanied during the review by the Town Manager's designee.

Personnel information may be disclosed as a result of duly authorized requests from law enforcement agencies and the courts. The Town need not inform the employee of such requests.

Any employee who makes an untruthful statement, falsification, or deliberate omission to their personnel record is subject to disciplinary action including dismissal.

Files of applicants, retirees or terminated employees will be maintained for a period as specified by state and federal law.

IV. RETIREMENT

Retiring employees will be compensated for unused banked vacation days, but are not eligible for unemployment. Retirees may apply for temporary or part-time employment.

1. Pension Plan:

The Town participates in the Maine Public Employees Retirement System (MEPERS) and in a 457 Deferred Compensation Plan (ICMA) for regular full-time employees. Descriptions of these plans are available from the personnel office.

Effective July 1, 2016, the Town's money contribution for those who are now currently, or those who may in the future participate in either, or both of the MEPERS and ICMA Plans **will be limited to only one of the following:**

- A. MEPERS – The Town will contribute the annually determined MEPERS employer contribution rate.
- B. ICMA – The Town will contribute an annual “dollar for dollar” match of the employee's contribution up to 6% of the employee's annual pay.

2. Social Security

The Town participates in the Social Security program. Both the Town and its employees contribute to this program to the extent required by Federal law.

IV. GENERAL PROVISIONS

1. Corrective Actions

The Town generally observes the principles of just cause and uses a progressive discipline process. Progressive Discipline is the process of taking progressively stricter action when an employee fails to correct a problem in their performance or behavior after being given reasonable time to do so. The Town Manager reserves the right to depart from the progressive discipline process at any time for any reason that the Town Manager, in his/her sole discretion, determines requires such a departure and to proceed with immediate

discipline up to and including termination of employment if warranted by the circumstances.

The Town's progressive discipline process includes the following steps:

1. First Offense: oral reprimand
2. Second Offense: written reprimand
3. Third Offense: suspension from employment with or without pay, demotion, probation
4. Final Offense: discharge

Each form of discipline will result in a written record of the facts and circumstances for inclusion in an employee's personnel file. The written record of facts must include who, what, when, where and why. The written record of facts must be signed by both the employee and the disciplinarian.

Except where either otherwise specifically noted in this Handbook, or required under state or federal law, the policies set forth in this Handbook, including the "just cause" or the disciplinary and appeal provisions, do not apply to:

- Members of Town Boards
- Volunteers
- Elected and Election officials
- Appointed committee members
- Temporary, seasonal, or per diem employees.
- Independent contractors
- Vendors

2. Grievance Procedure for Corrective Actions

An employee aggrieved because of a Corrective Action, may pursue the following step-based procedure:

- (1) Seek a resolution by orally addressing the matter with the appropriate disciplinarian.
- (2) If the employee still remains dissatisfied, he/she will provide a written report detailing the cause of the grievance to the appropriate department head.
- (3) The department head will respond in writing within five (5) business days to the employee's grievance.
- (4) If the matter remains unresolved, the employee may, within three (3) business days of the supervisor's dated, written reply, bring the matter to the attention of the Town Manager. The Town Manager shall have five (5) work days in which to render a written decision.
- (5) If an employee remains dissatisfied, the written record may be remanded to the Board in advance of an executive session to consider the matter. The employee has the right to attend the executive session. The decision of the Board will be final in resolving the matter.

Each step taken in the Grievance Procedure will result in a written record of the facts and circumstances for inclusion in an employee's personnel file. The record of facts must include who, what, when, where and why. The written record of facts must be signed by the appropriate department head, Town Manager, and/or Board.

3. Personnel Complaints and the Formal Complaint Process

Personnel Complaints consist of any allegation of misconduct or improper job performance against any employee that if true, would constitute a violation of Town of Paris Personnel Policy.

The complainant should first try to address the issue with the other employee. If the complaint remains unresolved, the complainant may initiate a formal complaint through their appropriate chain of command. Please review the Town of Paris organizational chart for your appropriate chain.

Personnel Complaint Forms will be maintained by each department head and will be made available upon request.

Formal complaints shall be documented by the complainant using the Personnel Complaint Form. The first line supervisor shall ensure that the nature of the complaint is defined clearly as possible. To ensure accuracy in any complaint, the first line supervisor shall obtain a recorded written statement from the complainant. The written statement will include the complainant's signature and a copy of the complaint will be provided to the complainant.

Upon receipt of the Personnel Complaint Form and the complainant's written statement, the first line supervisor shall initiate an investigation into the matter, and shall prepare a Personnel Complaint Report, documenting his/her findings. The investigation may include such steps as:

- a. Interviewing the complainant, reporting person, or witnesses
- b. Collecting written statements
- c. Reviewing documents or audio/visual tapes
- d. Observing injuries or physical evidence supporting the allegation

Every formal personnel complaint of alleged misconduct shall proceed with due diligence. In the event an investigation will take more than seven (7) business days to complete, the first line supervisor shall provide the complainant with a status report, and will continue to do so at 7-business day intervals, thereafter.

Upon completion of the investigation and within seven (7) days of the final review, the first line supervisor will take the following action:

- a. Make determination regarding the final disposition of the complaint
- b. Notify the employee of the final disposition of the complaint
- c. Notify the complainant of the final disposition of the complaint
- d. Take any appropriate corrective action
- e. Make any necessary entries into the appropriate Official Personnel File.

All investigations of personnel complaints shall be considered confidential. The contents of such files shall not be revealed to other than the involved employee or authorized personnel except pursuant to lawful purpose.

If the complaint is concerning a Department Head and the complainant does not feel he/she can address the issue directly with their Department Head, the complainant shall bring the formal complaint to Human Resources. Human Resources will assume the responsibilities for investigating the formal complaint. In the event an investigation will take more than seven (7) days to complete, Human Resources shall provide the complainant with a status report, and will continue to do so at 7-day intervals, thereafter.

Upon completion of the investigation by Human Resources, all findings shall be forwarded to the Town Manager for review.

Within seven (7) days of the final review, the Town Manager will take the following action:

- a. Make determination regarding the final disposition of the complaint
- b. Notify the employee of the final disposition of the complaint
- c. Notify the complainant of the final disposition of the complaint
- d. Take any appropriate corrective action
- e. Make any necessary entries into the appropriate Official Personnel File(s).

Each step taken in the Formal Complaint Process will result in a written record of the facts and circumstances for inclusion in an employee's personnel file. The record of facts must include who, what, when, where and why. The written record of facts must be signed by the appropriate first line supervisor, department head, Human Resources, Town Manager, and/or Board.

The Town of Paris does not investigate allegations related to personnel actions or employment issues at other Town Municipalities.

If an employee remains dissatisfied, the written record may be remanded to the Board in advance of an executive session to consider the matter. The employee has the right to attend the executive session. The decision of the Board will be final in resolving the matter.

4. Freedom from Harassment

Under federal law, harassment by Town of Paris employees based on race, color, religion, sex (including gender identity and pregnancy), national origin, age, disability, genetic information, sexual orientation, or parental status is prohibited. The Town of Paris does not permit harassing conduct by anyone in the workplace, including contractors.

Prohibited workplace harassment may take either of two forms. It may entail "quid pro quo" harassment, which occurs in cases in which employment decisions or treatment are based on submission to or rejection of unwelcome conduct, typically conduct of a sexual nature.

Workplace harassment may also consist of offensive conduct based on one or more of the protected groups above that is so severe or pervasive that it creates a hostile or offensive work environment or when it results in an adverse employment decision (such as being fired or demoted).

Town of Paris policies and procedures promote prompt recognition, reporting, and remedying of harassing workplace conduct with the goal of eliminating such conduct quickly and effectively, even in cases in which the reported conduct may not be severe and pervasive so as to constitute a violation of federal law.

The Town of Paris has determined that the most effective way to limit harassing conduct is to treat it as misconduct, even if it does not rise to the level of harassment actionable under the law. The goal of this policy is to eliminate harassment before it becomes severe and pervasive enough to violate the law.

Therefore, for the purposes of the Town of Paris Personnel Policy, harassing conduct is defined more broadly as "any unwelcome verbal or physical conduct based on any characteristic protected by law when: (1) the behavior can reasonably be considered to adversely affect the work environment; or (2) an employment decision affecting the employee is based upon the employee's acceptance or rejection of such conduct." Conduct that "adversely affects the work environment," even though it may not be "severe or pervasive" as required under federal law, is prohibited by the Town of Paris.

Management will take prompt, remedial action to investigate and eliminate any harassing conduct. All information will be maintained on a confidential basis to the greatest extent possible.

The Town of Paris cannot correct harassing conduct if a supervisor, manager or other Department official does not become aware of it. When an employee unreasonably fails to report harassing conduct, the Town of Paris has the right to raise this as a defense against a suit for harassment.

A. Inappropriate Behavior:

It is the policy of the Town to promote workplace behavior that creates and maintains an environment of respect and effective teamwork. It is the responsibility of employees to report behavior that damages this environment. This policy prohibits behavior that may not reach the level of illegal harassment as defined by the EEOC, but which nonetheless adversely affects employees and their efficiency.

Horseplay, pranks or any inappropriate, non-work-related behaviors are prohibited. Jokes (verbal, electronic or printed) that demean people in any fashion or have sexual, racial, ethnic or religious connotations are inappropriate in the workplace. Offensive, obscene and profane language, gestures or innuendoes are prohibited.

B. Legal recourse through the Maine Human Rights Commission:

Any employee who believes he or she has been subjected to unlawful harassment may call or write the Maine Human Rights Commission to register a complaint. The Commission can be contacted at State House Station 51, Augusta, Maine 04333, telephone: 207-624-6209.

5. Tobacco in the workplace

The Town complies with all applicable federal and state regulations regarding smoking in the workplace. It will provide a tobacco-free work environment that promotes productivity and the well-being of employees.

A. All tobacco, vaping or chew is prohibited in all town facilities, vehicles and equipment except in areas or circumstances where it is specifically authorized. The Town Manager, department heads and supervisors are charged with enforcing this policy. The policy applies to all employees and to customers and visitors while on Town property.

B. The Town does not discriminate against individuals on the basis of their use of legal products, such as tobacco, if the use occurs during non-working time and off Town property.

6. Drugs and Alcohol

The Town is committed to the policy of a drug and alcohol-free workplace, consistent with all state and federal laws, as well as with those rules and procedures it is empowered to adopt. Therefore, with regard to anyone employed by or doing work for the Town:

- (1) This policy is applicable to employees and contractors, as well as to a contractor's employees and subcontractors.
- (2) The use or possession of illegal drugs, including medical marijuana, and the possession or consumption of alcohol during working hours and/or on Town property, is strictly forbidden.
- (3) No one shall report for or remain on duty while under the influence of alcohol or illegal drugs.
- (4) The Town reserves the right to require alcohol and/or drug testing as an enforcement tool in furtherance of this policy.
- (5) The cost of any testing or physical examination required by the Town shall be borne by the Town.

A. Employer Representative:

The Town Manager is the designated employer representative in all matters pertaining to this policy and is responsible for enforcement, initiating tests, follow-up discipline, and applicable procedures and maintaining the confidentiality of all alcohol and drug testing reports.

B. Notice and Consent:

Before a drug or alcohol test is administered to a person employed by the Town, he/she will be asked to sign a consent form authorizing the test and permitting the release of test results to the test subject, the designated employer representative or others as required by law. The consent form shall provide space to indicate current or recent use of prescription and over-the-counter medications.

- (1) All recruitment announcements for any positions, including in-house recruitment and promotion, will disclose whether a drug screening test will be required of an applicant.
- (2) In the case of a reasonable suspicion of an on-the-job violation of this policy, the suspected violator will not be allowed to drive him/her self to the testing facility; a supervisor will provide transportation.

C. CDL License Holders:

All Commercial Driver's License (CDL) holders who are either employed by or working for the Town and are subject to alcohol and drug testing, must be in compliance with any and all CDL requirements, as well as this policy, during any time spent operating, maintaining or repairing Town vehicles and equipment. All town employees (license holder) will have their bureau of motor vehicle (driver's) license ran in January of every year.

D. Refusal to Test:

Refusal by anyone covered by this policy to submit to testing may result in disciplinary action up to and including dismissal, and may also be considered grounds for referral to a substance abuse professional. The following circumstances will be considered refusal to test:

- (1) Failure to report to the designated testing location within two (2) hours of being notified to submit to an alcohol test or failure to report within 24 hours of notification of a drug test.
- (2) Failure without good cause to provide a sufficient sample to be tested.
- (3) Failure to consent to testing.

E. Substances Tested:

- (1) When drug or alcohol screening is required under this policy, a breath test and/or urine test will be given to detect the following: Alcohol or any scheduled drugs.
- (2) The town will select their choice to testing facility.

F. Positive Test Results:

In the case of a positive test for the use of alcohol or drugs, the Town shall provide that person with the following:

- (1) A copy of the laboratory test results;
- (2) A written notice of management's intent to take disciplinary action or, if applicable, to change the conditions of employment;

G. Medications:

Anyone covered by this policy may take prescribed and over-the-counter medications while on duty, provided that:

- (1) The prescription for any drug is current and was prescribed for the user by an authorized medical practitioner.
- (2) Any medication is taken only as prescribed or directed.
- (3) If a medication's packaging warns that its use could cause adverse side effects while working, the user shall inform his/her supervisor prior to taking it and assuming regular duties. Depending upon the nature and requirements of the user's job, the Town may limit or suspend the user's work activities unless or until an appropriate substitute medication – one that does not warn that its use could cause adverse side effects while working – is acquired. If a substitute medication is unavailable, the Town may limit or suspend the user's work activities until such time as the use of the medication ends. It is solely the responsibility of the user to determine the existence of, and if so, to acquire, a medication that, when used, does not cause adverse side effects while working.
- (4) If an employee fails to notify a supervisor as described in paragraph 3 then;
- (5) Refusal by anyone covered by this policy may result in disciplinary action up to and including dismissal, and may also be considered grounds for referral to a substance abuse professional.

H. Treatment:

The Town will assist regular full-time and regular part-time employees seeking treatment for substance-abuse issues. Employees seeking referral to rehabilitation and counseling programs should contact the Town Manager. Such assistance will be undertaken under conditions of strict confidentiality.

7. Weapons and Firearms

A safe working environment being a crucial element of Town employment, no employee may enter Town property with any type of firearm, knife with a blade longer than four (4) inches, or any materials or object used in a manner to intimidate or injure another individual.

The exceptions to this policy are sworn law enforcement officers, persons given written consent by the Town Manager to carry a weapon on Town property or any person authorized by State Statute Title 12.

Town property includes parks, buildings, equipment being used for Town business and employees who are off Town property but performing Town business. Pursuant to Maine law, employees may keep firearms in their personal vehicles provided that they are in a case and stored out of sight.

8. Theft

The unauthorized possession or use of Town property constitutes grounds for immediate disciplinary action including suspension and/or the filing of criminal charges. Theft, embezzlement, misappropriation of funds, misuse, theft or abuse of town property, falsification of entries in any book, report or statement with intent to defraud, or falsification of expense accounts is cause for immediate dismissal and possible criminal charges. Unauthorized use of the Town's stationary letterhead is a disciplinary offense.

9. Integrity

Personal Integrity is an important element of public service and a qualification for Town employment; anything less than complete and transparent honesty, objectivity and neutrality will adversely affect an employee's career prospects.

10. Notice of Intent

Employees are asked to give a minimum of two weeks notice of intent when resigning a position. Longer notice may be required due to the requirements of filling certain positions. The Town reserves the right to pay a resigning employee for the period of notice and terminating the employment immediately.

11. Layoffs/Job Elimination

Any employee may be laid off when necessary because of a shortage of funds, lack of work or related reasons. The layoff or job elimination will not reflect discredit on the employee. As far as possible, layoffs will be on the basis of the level of skills required, qualifications and performance history of employees.

A. Severance Pay:

Regular full-time employees who have completed at least one year's service, who are laid off because of cutbacks or reduction of staff, or who are terminated involuntarily for reasons not connected to misconduct, are entitled to severance pay at the rate of one week's pay for every two years of employment up to a maximum of 8 weeks of pay. Upon notice of layoff, an employee who violates Town policy or demonstrates unacceptable conduct during the remainder of employment may be terminated without severance at the discretion of the Town Manager.

B. Requirements:

Upon notice of layoff, employees are required to work through the last scheduled day of employment unless waived by the Town Manager; turn in all reports and paperwork no later than the final day of employment; return all files, documents, equipment, keys, software or other Town property; participate in exit interviews if requested; and agree to sign a release of employment claims against the Town.

C. Failure to observe requirements:

Failure to observe requirements may result in forfeiture of all or part of severance pay.

D. Rehire; reinstatement:

- (1) A former employee rehired after a break in service during which the Town settled any financial obligation (e.g., payment for any unused leave or severance pay) owed the former employee as a result of the prior period of employment, except in the case of extended military leave, shall be treated as a new employee with regard to accruing annual leave and sick leave.
- (2) A former employee rehired after a break in service during which no settlement occurred regarding any financial obligation (e.g., payment for any unused leave or severance pay) the Town owed the former employee from the prior period of employment, shall be returned to the annual- and sick- leave accrual rate and account status that preceded the break.
- (3) Any re-vesting of a returning employee in the Maine State Retirement System or a 457 deferred income plan shall be in accordance with the rules and regulations governing those entities (see V.1. below).

12. Unemployment

A. Unemployment Compensation:

Employees who lose jobs are entitled to unemployment compensation payments to the extent allowed by state law. The Town pays 100 percent of the state and federal unemployment insurance premiums for each employee.

B. COBRA Coverage:

The Consolidated Omnibus Budget Reconciliation Act of 1982 requires the Town (as an employer with more than 20 employees) to allow laid off or departing employees and dependents to remain as members of the Town's healthcare benefit plan. The departing employee must apply for COBRA coverage within 45 days of termination and is responsible for payment of the insurance premium plus any maintenance fee charged by the insurance provider.

13. References

All requests for reference information about current, retired or terminated employees must be made through the Town Manager. No supervisor or other employee is authorized to divulge information as a result of a reference query, either by an outside agency or by a fellow employee. It is the Town's policy to verify only dates of employment, title, and salary as elements of general verification of employment. The Town disclaims any responsibility for individual violations of this policy.

14. The Public and Employee Relations

A. Prohibited Conduct:

Employees are prohibited from engaging in conduct and/or behavior which could reflect unfavorably upon the Town or disrupt the efficient administration of the Town. Employees

shall avoid any action which might result in, or create the impression of using public employment for private gain, giving preferential treatment to any person, or the loss of impartiality in the conduct of Town business.

B. Cooperation by Employees:

Cooperation of all employees, both internally and in public exchanges, is essential to an efficient operation. Cooperation, courtesy and responsibility should become everyday standards in the delivery of high-quality service to the public.

C. Confidentiality:

Employees with access to confidential or privileged information will not use such information to their private advantage or to provide others with a private advantage. Reference to such information will be made only to fellow employees on a "need-to-know" basis. Any question as to proper disclosure of such information should be addressed to the town's designated "Public Access Officer." and The Town Manager, as the Public Access Officer, is responsible for the release of information under the "Right to Know" law, Title 1, M.R.S.A., Sections 401-414.

D. Political Activity:

Employees of the Town are prohibited from:

- (1) serving in any elective position of this Town's government in which they may have any direct supervision of themselves, their department, or the budget that controls their regular position or department (or the most recent copy of the "Incompatible Offices" from the Maine Municipal Officers Manual)
- (2) using their public office or influence in any way for or against candidates for elective Town office;
- (3) circulating petitions or campaign literature for elective Town officials while on duty;
- (4) being in any way concerned with soliciting or receiving subscriptions, contributions, or political service from any person for any political purpose pertaining to Town government; **or**
- (5) engaging in political activities in the work place.

This rule will not be construed as preventing employees from becoming, or continuing to be, members of any political organization, from attending political meetings, from becoming candidates or holding an elective office, from expressing their view on political matters, or from voting with complete freedom in any election.

E. Bulletin Boards/Non-Solicitation:

Bulletin boards placed in designated areas provide employees access to important posted information and announcements. The employee is responsible for reading information posted on the bulletin boards. The Town reserves the discretion to remove items from the bulletin board which are inappropriate.

All solicitations for charities, organizations, groups, businesses, services, etc. must be approved by the Town Manager prior to posting. The Town reserves the right to reject any solicitation, in any format, if the Town Manager deems it not in the best interests of the Town. In person solicitation must also be pre-approved by the Town Manager.

15. Expenses

An employee must obtain advanced consent from his/her supervisor before incurring expenses for which reimbursement will be sought. Mileage expense for use of personal vehicles must include "to and from" documentation and will not include commutes to and from the normal workplace unless a part of a contractual agreement approved by the Board. Approved expenses must be verified with receipts and mileage detail and submitted for reimbursement within the month on which expenses were incurred.

16. Tuition Reimbursement

It is the policy of the Town to encourage and participate in the career development of its employees. The Town recognizes that efficient municipal administration requires continuous attention to the creation, changes, and updates in a variety of laws, rules, regulations and in management and personnel practices both at the state and federal levels. There is a need to continually upgrade individual skills relating to computer and mechanical applications, law enforcement, firefighting, inspections and public safety.

The cost of courses, books and supplies approved by the Town Manager will be reimbursed by the Town upon satisfactory course completion. Seminars and training events will be paid in advance by the Town. The following conditions apply:

A. Prior Approval:

An employee must submit a course title, seminar or training event description, a written statement of the relationship of the benefit outcome to the employee position, cost and time required, to the Town Manager a month in advance of the start date. The Town Manager will give a response to the employee within reasonability time frame after within two weeks of receiving the information.

B. Compensation:

Regular compensation to an employee attending a class, seminar or a training event during normal work day hours must have prior approval by the Town Manager.

An employee will not be compensated for attending courses, seminars or training events outside of work hours unless specifically directed to do so by the Town Manager. Overtime rules will apply; compensatory time off may be allowed.

17. Parking

The Town provides parking for employees to park their registered and insured vehicles. The use of parking facilities is the responsibility of the employee. The Town is not responsible

for parking violations, and employees may not work on vehicles, perform non-routine maintenance, and must immediately remove any inoperable vehicle from the lot. The Town does not ensure the safety of employee vehicles or vehicle contents. The Town disclaims any responsibility for claims made against an employee as a result of the use of town-owned parking areas.

VI. PROCEDURES – DAILY OPERATIONS

1. Cell Phones:

The Town may issue cell phones to employees whose jobs require them to make calls while away from work or require them to be accessible for work-related matters. Such phones are the Town's property. Employees who leave Town employment for any reason must return such phones.

Town-issued cell phones are to be used primarily for business purposes. Occasional brief, personal phone calls using Town-owned cell phones are permitted. Employees are expected to reimburse the Town for any additional costs or charges related to personal use of cell phones. Employees are responsible for the security of Town-issued cell phones and the information stored in them. If a Town-issued phone is lost or stolen, it should be reported immediately.

Although employees are allowed to bring personal cell phones to work, they are expected to limit personal calls during working hours. Frequent or lengthy calls that affect productivity or disturb others are prohibited. Employees should silent or but to vibrate when away from the phone, when in meetings, presentations or training or when sharing office space with others. Violations of this policy can lead to disciplinary action.

2. Electronic Devices and Services:

- (1) You may have access to one or more forms of town owned electronic devices and services (Including, but not limited to: computers, PDAs, tablets, cellular devices, e-mail, telephones, voice-mail, fax machines, external websites, bulletin boards, wire services, on-line services, and the Internet).
- (2) Use of this media, associated services and devices make communication more efficient and effective, and are valuable sources of information, e.g., about vendors, customers, new products and services. However, electronic media, services, and devices provided by the town are town property, and their purpose is to facilitate town business.
- (3) Due to the rapidly changing nature of technology, this policy cannot lay down rules to cover every possible situation. Instead, it expresses the town's philosophy and sets forth general principles to be applied to use of electronic devices and services.

- (4) The following procedures apply to all electronic devices and services, which are:
- a. Accessed on or from town premises,
 - b. Accessed using town equipment, or via town-paid communication methods
 - c. Used in a manner which identifies the individual with the town.
- (5) Electronic devices may not be used for knowingly transmitting, retrieving or storage of any communications of a discriminatory or harassing nature, or which are derogatory to any individual or group, or which are obscene or X-rated communications, or are of a defamatory or threatening nature, or for "chain letters," or for any other purpose which is illegal or against town policy or contrary to the town's interest.
- (6) Electronic devices and services are provided primarily for town business use. Limited, occasional or incidental use of electronic devices (sending or receiving) for personal, non-town purposes is understandable and acceptable. However, employees need to demonstrate a sense of responsibility and may not abuse this.
- (7) The town also reserves the right, in its discretion, to review any employee's electronic files and messages and usage to the extent necessary to ensure that electronic media and services are being used in compliance with the law and with this and other town policies.
- a. Employees should therefore not assume electronic communications are totally private and confidential and should transmit highly sensitive information in other ways.
- (8) Employees must respect the confidentiality of other people's electronic communications and may not attempt to read, "hack" into other systems or other people's logins, or "crack" passwords, or breach computer or network security measures, or monitor electronic files or communications of other employees or third parties except by explicit direction of town management
- (9) Each employee who uses any security measures on town-supplied equipment must keep a record of his/her passwords and encryption keys (if any) for town use if requested.
Example: there may be a need for the town to access an employee's system or files when s/he is away from the office or to troubleshoot a problem.
- (10) No e-mail or other electronic communications may be sent which attempts to hide the identity of the sender, or represent the sender as someone else or from another town.
- (11) Electronic devices and services should not be used in a manner that is likely to cause network congestion or significantly hamper the ability of other people to access and use the network.

- (12) Any messages or information sent by an employee to one or more individuals via an electronic network (e.g., bulletin board, on-line service, text message, social networking, or Internet) are statements identifiable and attributable to our town. While some users include personal "disclaimers" in electronic messages, it should be noted that there would still be a connection with the town, and the statement might still be legally imputed to the town. All communications sent by employees must comply with this and other town policies, and may not disclose any confidential or proprietary town information.
- (13) Network services and World Wide Web sites can and do monitor access and usage and can identify at least which town -- and often which specific individual -- is accessing their services. Thus, accessing a particular bulletin board or Website can leave town-identifiable electronic "tracks" even if the employee merely reviews or downloads the material and does not post any message.
- (14) Any employee found to be abusing the privilege of town-facilitated access to electronic devices or services will be subject to corrective action and/or risk having the access removed. Willful destruction or damage due to abuse or neglect is subject to disciplinary action up to and including termination. In addition, employees may be held monetarily responsible for any loss or damage caused by negligence concerning assigned electronic devices.
- (15) All vendors, contractors, consultants and temporary employees are required to abide by the aforementioned policy items when conducting business on town property, or using town equipment. When you are remotely connected to town systems, you are considered to be both on town property and using town equipment.

3. Productivity:

Each employee is asked to take personal pride in his/her work, to achieve a high quality and high quantity of output on a daily basis. Such productivity is directly related to the Town's image and ability to serve the public and provide job security and employee advancement.

4. Personal Appearance/Dress Code:

- (1) A positive image of each employee is vital to the success of the Town in transactions with its citizens. Employees should strive to dress in a neat and clean manner. At a minimum, daily office wear should be conservatively casual. In general, revealing clothes, shirts with tasteless writing or pictures, jeans with holes or rips, and shorts, are unacceptable. Department heads will work the Town Manager of what is acceptable dress code in the various departments.

- (2) Members of the Highway Department may be required to wear steel-toed shoes, goggles or hard hats and durable work wear while on the job. Firefighters are required to comply with fire department regulations and policies in regards to protective clothing and on-duty uniforms.

Under certain circumstances clothing allowance and/or personal protective equipment is provided to employees.

5. Clothing Allowance:

Information on clothing allowances may be obtained from the department manager or from the human resource office.

6. Building Security:

Employees will follow supervisory directives on securing their places of employment, offices and desks. Authorized employees entering or leaving Town owned buildings during off hours must secure the property and lock all doors before departing. Employees must not allow unauthorized persons access to town premises, or to keys or access codes.

7. Town Owned Property:

Town-owned property shall not be neglected, misused, or abused: it should be used and maintained according to directions, manuals and/or warranties, and serviced as scheduled, and used for town purposes only. Any misappropriation, neglect, misuse or personal use, or deliberate damage to Town property can lead to disciplinary action.

Employees should immediately report any damage or loss of Town equipment assigned to them. Any defective or hazardous equipment conditions must be reported immediately. Reports should be in writing to the appropriate supervisor.

8. Personal Property:

Employees are discouraged from leaving personal possessions in their work areas overnight or longer. Town insurance does not cover personal items and the Town cannot take responsibility for loss or damage to such items

9. Public Use of Files and Records:

Many Town records, files or maps are subject of the state's "Right to Know" law. Some, such as personnel files, are exempt. If there is any question, the decision on what records and files may be released to the public for viewing or copying will be made by the Public Access Officer and the Town Manager.

10. Employee Purchases:

The Town maintains a number of charge accounts with various vendors who may also do business with Town employees. Under no circumstances may an employee use a Town charge account for personal use. Other than the Town Manager, or the Town Manager's assignees, no employee has the authority to enter into a contract on behalf of the Town.

Purchases shall be in conformity with the "Town of Paris Policy for the Purchasing of Goods and Services."

11. Wage Garnishment:

A wage garnishment represents a court order and must be honored by the Town. The Town may charge an employee for garnishment costs.

12. Legal Notices and Inquiries:

The Town Manager is authorized to accept service of process or any other legal notices on behalf of the Town. This includes, but is not limited to, lawsuits, complaints, subpoenas, petitions and citations. Unless specifically directed or appointed by the Town Manager to do so, no employee is authorized to comment on behalf of the Town. Anyone requesting information or official comment concerning Town business must be referred to Town spokesperson. Employees shall immediately notify a supervisor if approached with a request for information or official comment concerning Town business.

13. Mail:

All mail directed to the Town will be distributed to each administrative assistant who will in turn distribute it to the appropriate employee. Employees will not use the Town as a mailing address for private correspondence. Any mail delivered to a facility of the Town may be opened and inspected. Employees may not use Town postage meters for personal mail.

14. Gratuities, Gifts:

No officer or employee of the Town of Paris shall accept a gift, or allow acceptance of such gift by a family member, from any individual, group, or corporation which has or is likely to have a matter pending before the officer or employee, or before any town board, committee, commission, or agency on which the officer or employee serves. This provision of the Policy is not meant to apply to gifts traditionally exchanged between family members at holidays or birthdays, for example.

15. Anti-Nepotism:

The employment of relatives can cause various problems including but not limited to charges of favoritism, conflicts of interest, family discord and scheduling conflicts that may work to the disadvantage of both the town and its employees. Any applicant who is related to a current employee within a department may not be considered for regular employment or employment for a limited time within that department.

For the purposes of this policy the term "relative" shall include the following relationships: relationships established by blood, marriage or legal action. Examples include the employee's: spouse, mother, father, son, daughter, sister, brother, mother-in-law, father-in-law, sister-in-law, brother-in-law, son-in-law, daughter-in-law, stepparent, stepchild, aunt, uncle, nephew, niece, grandparent, grandson or cousin. The term also includes domestic partners (a person with whom the employee's life is interdependent and who shares a common residence) and, a daughter or son of an employee's domestic partner.

Under no circumstances shall this policy be waived in any situation involving a regular employee without the express prior approval of the Paris Town Manager. In a situation where the nepotism policy is waived, relatives shall not supervise one another.

VII. PROCEDURES: Emergency

1. Telephones:

Emergency number for **FIRE, POLICE and AMBULANCE: 911**

Emergency Management Director (Dawn Noyes): 461-1647

2. Planning and Procedure:

In the first month of each new fiscal year, the Emergency Management Administrator shall meet with all Department Heads to review the safety and preparedness training seminar, which shall be a mandatory session for all Town employees, conducted by each department in a timely manner, with documentation or cover letter signing off for verification that the training has been completed and maintained by the EMA Director. Topics to be presented are basic safety and first aid procedures, as they relate to the subsections which appear below (A. through D.):

A. Emergency Plans:

Each department is required to have their own emergency plan.

A fire, regardless of size, should be reported by calling 911. As soon as possible, notify the Town Manager. Persons reporting a fire should give their name, the address or location of the fire and any additional information requested by 911 call takers.

While employees should know the location and be familiar with the operation of fire extinguishers in their work areas, fire extinguishers should be used to fight small fires only. An employee's primary responses to a fire in his/her work area should be to notify coworkers and the fire department, leave the building in which a fire is occurring, and await instructions from fire department personnel before re-entering. When possible before leaving, close all doors and windows, and shut down all computers, fans or air conditioners. Supervisors are expected to know, and to instruct subordinates on, the means and methods of evacuating handicapped persons from their work areas.

B. First Aid:

First aid materials are located in all municipal buildings. Department heads are responsible for upkeep and adequate supply of First Aid kits.

C. On-the-job accidents:

As soon as possible, report all on-the-job accident/injury events to the supervisor. The supervisor will provide an accident/injury report form to be filled out by the victim.

D. Critical Incident Stress Management and Infectious Disease Control:

Emergency responders such as firefighters and law enforcement personnel, in the performance of their duties, may require information on critical stress management. Town Fire Department "Standard Operating Guidelines" and Police Department "Standard Operating Procedure Manual" contain information addressing Critical Incident Stress Management. The same manuals also contain information available on infectious disease control.

Severability and Effective Date

If any article, section or provision of this policy should be found to be invalid or unenforceable by decision of the courts, only that article, section or provision specified in such decision shall be of no force and effect and such decision shall not invalidate any other article, section or provision.


Revisions to the policies may occur from time to time, as the Select Board deems necessary. When any of the policies are updated, they supersede the policies in this manual and employees will be provided with copies of the updates.

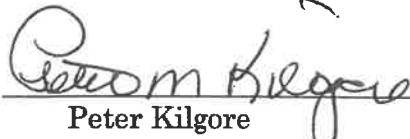
Personnel Policies in this document are effective as of December 14, 2020. These personnel policies supersede all existing personnel policies.

VIII. Approval

Approved and enacted this 14th day of December 2020 by the Selectmen of the Town of Paris:


Russell Brackett


Christopher Summers


Peter Kilgore


Carlton Sprague


Scott McElravy

