

**Town of Casco
Personnel Policy**

As Amended and adopted by Casco Selectboard

**Adopted by the Casco Selectboard
9/13/1994
Amended 10/97
Amended 8/31/09**

Amended 4/03
Amended 7/15
Adopted by the Casco Selectboard as of 10/20/2015
Amended 8/2020 (vacation section only)

REFERENCE ASSISTANCE

Listed below are commonly used sections of the personnel policy. For your convenience we have listed their location in this policy below. This is not an all-inclusive list of everything contained in this policy. It is the employee's responsibility to become familiar with all aspects of this policy.

If you have questions on any part of this document, please ask your Supervisor for assistance.

Section 1	General Organization & Administration	Article II
Section 1	General Conduct	Article IV
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SECTION 1

**GENERAL INFORMATION
ORGANIZATION AND ADMINISTRATION
GENERAL CONDUCT**

TOWN OF CASCO

PERSONNEL POLICY

ARTICLE I

PREAMBLE

A. The Selectboard hereby adopt the following policy for utilization by the Town of Casco in the administration of personnel activities of the employees of the Town of Casco. These rules and subsequent modifications shall supersede any policy and rules made previously by the Selectboard.

The Selectboard may delete, amend, modify or change any or all of the provisions contained in this policy without prior notice. The provisions set forth are not contractual, but rather, are for the general guidance of the Town in its relationship with its employees. This policy and procedures therein shall apply to all town employees including those covered by collective bargaining agreements, unless otherwise provided for in such agreements, or in individual cases where a differing procedure is provided for by the Town Selectboard.

ARTICLE II

ORGANIZATION AND ADMINISTRATION

A. The employment of all personnel shall be the responsibility of the Selectboard and the Town Manager. The Town Manager will serve as the Personnel Administrator for the Town.

B. DESCRIPTION OF ROLES

GOVERNING BODY: The term governing body refers to the representatives of the elected Selectboard who provide input into the management of the town.

Selectboard appoint the
Following positions: Town Manager, Assessor

Town Manager appoints: CEO, Deputy Clerk, Deputy Treasurer, All Other Municipal Employees.

PERSONNEL ADMINISTRATOR: The personnel administrator, who shall be referred to as the Town Manager throughout the course of this document, shall coordinate the efforts of the Selectboard in order to insure that all employees are treated equitably. The Manager will review personnel evaluations, disciplinary actions, interview and hiring procedures, salary increases, grievances and all other personnel matters to assure compliance with federal, state and local employment practices, as well as to promote a sense of consistency and fairness for town employees. The Town Manager shall also maintain a personnel file for each employee that shall include, but not be limited to, written documentation of all evaluations, salary increases, career improvement initiatives and disciplinary actions. These shall be confidential, to the extent permitted by law and viewable only by the Town Manager and the employee in accordance with applicable laws.

ARTICLE III

GENERAL RULES OF EMPLOYMENT

A. All employees must submit a written application for employment.

B. All employees are considered probationary for the first six(6)months of

employment. The probationary period shall be considered an extension of the selection process. Probationary employees may be removed at any time during the probationary period without cause and without right to file a grievance.

Employees in their probationary period are not eligible for benefits unless approved by special waiver of the personnel administrator.

C. EQUAL OPPORTUNITY EMPLOYER: The policy of the Town of Casco is to provide equal opportunity to all employees and applicants without regard to religion, age, sex, sexual orientation, marital status, race, color, ancestry, national origin, physical or mental handicap except as a bona fide occupational qualification or any other category protected by law.

D. TYPES OF APPOINTMENTS: The following types of appointments may be made to the Town's service in conformity with the rules established. The type of appointment given to an employee directly corresponds to the level of benefits they receive.

FULL TIME: A full time employee is generally scheduled to work forty hours per week, fifty-two weeks per year on a continuing basis (indefinite). The full time employee is subject to all personnel rules and regulations and receives all benefits and rights as provided by this policy. A position is not considered full time until designated so by the Selectboard once a position is designated full time by the Selectboard the position remains as designated until the Selectboard vote to change the positions designation.

REGULAR PART TIME: An employee in this classification is generally scheduled to work 39 hours or less per week, fifty-two weeks per year, on an indefinite term. This employee is subject to all personnel rules and regulations as provided by this policy. This classification shall only be assigned at the discretion of the Selectboard and the Town Manager.

TEMPORARY EMPLOYEES: Temporary employees work on a non-permanent basis, usually within a limited time frame.

E. WORK WEEK: The regular work week for payroll purposes begins on Saturday and ends Friday midnight. The actual work hours for Town employees shall be set by the Town Manager.

F. OFFICE SHUTDOWN: In the event that any part of or all of the municipal operations must be shut down for any purpose it will be at the determination of the Town Manager as to whether the shutdown time shall count as time served for employment purposes.

These times may include but are not limited to closure because of power failures or weather related events. In the event of such a closure, employees shall be paid for all time worked plus one hour as a minimum.

G. ATTENDANCE: Employees shall be at their respective places of work at the appointed starting time. It is the responsibility of employees who may be absent from work to see that their immediate supervisor is advised of the reason for such absence. Not previously arranged for absences (when employee is sick or an emergency occurs which necessitates their absence from work) should be called into the immediate supervisor, if possible, within two (2) hours before the start time of the employee's work day. Employees who do not call in to report an unscheduled absence to their immediate supervisor may be subject to disciplinary action. An employee who does not call in or show up for work on two consecutive scheduled shifts may be subject to termination.

H. PERFORMANCE REVIEWS: All employees shall be subject to annual performance reviews. Copies of these reviews shall be placed in their employment folders. The employees shall be made fully aware of all information contained in these employment reviews, shall have the opportunity to respond in kind to any issue contained in the employment review, and have that response placed in their file along with the employment employee review.

I. RESIGNATION: All employees resigning from service of the Town shall give a two-week written notice.

ARTICLE IV

GENERAL CONDUCT FOR ALL EMPLOYEES

A. Employees are prohibited from engaging in any conduct which could reflect unfavorably upon the Town or disrupt the efficient operation of the administration of the Town. Town employees must 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 losing complete impartiality in conducting Town business.

B. Cooperation of all employees is essential to efficiency. Our taxpayers are entitled to the best service we can give them. Cooperation, courtesy, tact, and responsibility are the key elements of good service.

C. RECEIPT OF GIFTS: A town employee is prohibited from soliciting or accepting any gift, gratuity, favor, entertainment, loans, or any other item of monetary value, from any person within or outside Town employment, whose interest may be affected by the employee's performance or non-performance of his official duties. Acceptance of nominal gifts, such as food and refreshments in the ordinary course of business meetings, or unsolicited advertising or promotional materials such as pens, note pads, calendars, etc., is permitted.

D. BUSINESS ACTIVITIES AND SOLICITATIONS: No employee shall engage in any business other than his regular duties during work hours.

E. CONFIDENTIALITY: Many town employees have access to confidential information pertaining to persons or property in the Town. Employees must not use this privileged information to their private advantage or to provide friends or acquaintances with private advantage. The Town through its public access officer responsible for administering the Right to Know law, 1 M.R.S.A. SS 401-413, particularly those provisions pertaining to the public's right to inspect and copy "public records" as defined therein and applicable statutory exceptions. (See Attachment 4 at the back of this document for further details of the Right to Know law.)

F. POLITICAL ACTIVITY: While performing their normal work duties, employees shall refrain from seeking or accepting nomination or election to any office in Town government, and from using their influence publicly in any way for or against any candidate for elective office in the Town government. This rule is not to be construed to prevent Town employees from becoming or continuing to be, members of any political organization, or attending political meetings, from expressing their views on political matters, or from voting with complete freedom in any election.

G. DRESS: All town employees are expected to dress in a manner appropriate to their respective jobs. In cases where safety equipment is required or provided, it is mandatory that it be worn in a proper manner at all times.

H. SMOKING IN THE WORKPLACE: The Town Manager may designate an appropriate smoking area for each workplace. There will be No smoking in the workplace, except in designated smoking areas, if in the opinion of the Town Manager an appropriate area can be designated.

Section 2
Benefits

BENEFITS

ARTICLE I

A. Full time employees are entitled to all the benefits described herein and as qualified according to their appointment status. Regular part time employees and Temporary employees (per diem) are not entitled to any benefits except overtime.

ARTICLE II

A. OVERTIME: Employees not exempt from the Fair Labor Standards act shall receive overtime pay after forty hours of actual work per week. All overtime shall be paid at the rate of one and one-half times the employee's normal rate of pay. At the discretion of the Town Manager and the written agreement of the employee, overtime may be compensated with compensatory time for hours worked beyond forty hours in a work week. Such compensatory time shall be granted on a time and one-half basis for hours worked beyond forty hours in a work week. For more information on compensatory time please refer to Attachment 1 at the back of this document.

ARTICLE III

A. HOLIDAYS: Subject to these rules, the following holidays shall be paid holidays for Full Time Town employees:

New Year's Day	Labor Day
Martin Luther King Day	Veterans' Day
Presidents' Day	Thanksgiving Day
Memorial Day	Christmas Day
Independence Day	Patriot's Day
Columbus Day	

B. For those employees who follow a Saturday through Friday work week, when any of these holidays falls on a Sunday, the following Monday shall be observed. When a holiday falls on a Saturday, the preceding Friday shall be observed.

C. All full-time employees shall be paid for holidays listed under Article III A.

D. A person on a leave of absence without pay shall not be entitled to holiday pay.

E. Employees may be required to work whole or part of a holiday. All employees required to work on a holiday shall receive time and one-half for the hours worked, plus their applicable holiday pay.

F. HOLIDAY BENEFITS BY APPOINTMENT TYPE

FULL TIME: Holiday pay is to be considered the same number of hours as a normal work day for full time hourly employees. Salaried employees will receive their normal salary for the week.

ARTICLE IV

VACATION

A. All full-time employees shall schedule vacations at such time or times as shall be mutually agreeable to the employees and their supervisor. All requests shall be made on the Leave Request Form and submitted to the Town Manager's office by the employee's supervisor. (Copies of the Leave Request Form may be found at the back of this document, Attachment 2.) Due consideration will be given to the order in which written vacation requests are received in regard to scheduling vacations.

B. Employees generally must use the vacation due them within the year the vacation is earned. However, employees may be permitted to carry over vacation time from one year to the next provided that the total amount of vacation time to be carried over does not exceed one week. Unused vacation time in excess of the amount permitted to be used will be forfeited. Employees are encouraged to plan vacation time in advance. Employees who wait until the last quarter of the year to schedule vacation time cannot be guaranteed time requested and may forfeit vacation time. These provisions are subject to existing employee contracts and work agreements.

C. Employees may receive their vacation pay prior to the start of their vacation, but must advise the Treasurer in writing, at least ten (10) days in advance of the payroll day.

D. If a paid holiday falls on an employee's scheduled vacation time, the employee may take an additional day off following the scheduled vacation or a day off at some other time as approved by the Town Manager.

E. VACATION BENEFITS BY APPOINTMENT TYPE

FULL TIME:

- One (1) week per year after completion of six (6) months of service
- Two (2) weeks per year after completion of one (1) year of service
- Three (3) weeks per year after completion of five (5) years of service
- Four (4) weeks of service after completion of ten (10) years of service

Vacation days are effective based on hire date. One week is equivalent to forty (40) hours.

REGULAR PART TIME (per diem): Not entitled to vacation benefits.

F. REGULAR PART TIME EARNED PAID LEAVE:

This classification of employee is entitled to one paid leave day (based on an 8-hour day) for each year of employment to a maximum of 5 days per year.

This benefit does not begin until the third year of employment at which time the employee would be entitled to three paid leave days.

The employee may use the paid leave days at their discretion for any purpose. The days do not accrue from one year to the next. It is the employees' responsibility to request the leave days. To qualify the employee must meet the following qualifications:

1. Are employed by the Town on a year-round basis on a regular schedule an average of 20 hours per week.
2. Have been employed by the Town as outlined in #1 for a period of 3 years.

This does not include the flowing classification of employees: Seasonal, or positions considered being per diem.

ARTICLE V

SICK LEAVE

A. Sick leave may be used for personal illness or physical incapacity of such a degree as to render the employee unable to perform the duties of his or her position, or for the care of an immediate family member.

B. Sick leave shall not be considered as an entitlement which employees may use at their discretion, but shall be allowed for the necessity arising from actual sickness, or disability of the employee. **Misuse of sick leave may be cause for disciplinary action. If requested, employees shall furnish the Town with a certification from their attending physician.**

C. Absences for a part of a day that are chargeable to sick leave shall be charged proportionately in an amount not smaller than one quarter hour.

D. Sick leave usage shall be recorded regularly by the Town Manager and the supervisor. The supervisor and the employee are responsible for making sure that a Leave Request form is filled out for the amount of sick time that is used and is returned to the town office for recording. The town shall review all sick leave records periodically and shall investigate any case which indicates abuse of the privilege. **Abuse of the sick leave privilege shall be cause for discipline.**

E. SICK LEAVE ACCRUAL BY APPOINTMENT TYPE:

FULL TIME: Sick leave for full time employees shall accrue at the rate of 10 hours each full calendar month of service to a maximum of 600 hours. For the purpose of this section, the first month of an employee's service shall be counted as a full month of service if employment begins on or before the 15th of the month.

PAYMENT UPON SEPARATION: If an employee leaves employment under good terms with the Town the employee may qualify for payment of up to 80 hours of sick pay, provided the employee has remaining 75% of the time allowed to accrue for sick time.

Full time employees shall be eligible to use sick leave after thirty (30) days of service with the town.

ARTICLE VI

HEALTH INSURANCE

A. The Selectboard shall select the health insurance plan to be provided to employees. The Selectboard shall provide employees with at least 10 days written notice prior to a change in the company providing the health insurance plan.

B. HEALTH INSURANCE BENEFITS BY APPOINTMENT TYPE

FULL TIME: All persons appointed as full-time employees, are eligible to receive eighty percent (80%) paid family subscriber health insurance coverage.

Any full-time employee wishing to add dependents to their health benefits may do so, to the extent the insurance carrier allows this, as long as the employee is willing to have the additional costs deducted from their pay on a

weekly basis.

REGULAR PART TIME: All persons appointed as regular part time employees and who are regularly scheduled to work a minimum of 20 hours per week, forty-eight weeks per year, are eligible to participate in the Health Insurance Program at their own cost.

ARTICLE VII

LEAVES OF ABSENCE

A. BEREAVEMENT LEAVE: A full time employee or regular part time employee may be excused from work for up to five (5) work days because of death in their immediate family, as outlined below, and shall be paid their regular rate of pay for the scheduled work hours missed. It is intended that this time off be used for the purpose of handling necessary arrangements and attendance at the funeral. Extension may be granted at the sole discretion of the Town Manager.

For purposes of this article only, immediate family is defined to mean spouse, parents, children, brother, sister, mother-in-law, father-in-law, grandfather, grandmother, and grandchildren.

One (1) work day may be granted to any employee at the sole discretion of the immediate supervisor and Town Manager for attendance at funerals of persons not covered under the above definition.

B. FAMILY MEDICAL LEAVE: A full time or regular part time employee, who has worked for the town for at least 12 months and completed at least 1250 hours of work during that period, may be granted a leave of absence without pay by the appointing body and the Town Manager for a period deemed necessary by the employee for the following reasons:

1. Maternity or Paternity Leave for Birth or Adoption
2. A serious health condition that makes the employee unable to perform the functions of his position;
3. In order to care for the employee's spouse, or a child or parent who has a serious health condition.
4. For any "qualifying exigency" of a spouse, parent, or child who is or has been called to active duty in the armed forces.
5. Other conditions as approved by the Town Manager.

An employee is entitled to twelve (12) weeks of qualifying leave during a rolling twelve-month period, measured backward from the date qualifying leave was last used. In general, an employee must give 30 days' notice before commencing such leave, or such lesser notice as is practicable.

The employee may be required to provide medical certification of the serious health condition affecting the employee, or the employee's spouse, child, or parent that makes the leave necessary.

Under certain circumstances, an employee may take leave on an intermittent basis, or by working a reduced schedule. Such leave would be granted after consultation with the employee's supervisor and the Town Manager.

An employee may use any accrued leave time. However, an employee will not continue to accrue sick leave, vacation time or holiday pay during the period of the leave.

The Town will continue the employee's health insurance coverage for the

duration of the leave, at the same level and under the same conditions as if the employee were continuously employed.

At the conclusion of leave, the employee shall be reinstated to the same position occupied before the leave commenced, or to an equivalent position, with equivalent pay, benefits, and other terms and conditions of employment.

C. JURY DUTY: The town shall pay to an employee called for jury duty the difference between regular pay and juror's pay, provided the employee presents an official statement of the jury pay received. The Town shall pay regular pay to the employee and the employee shall turn the jury duty pay over to the town upon receipt.

D. MILITARY LEAVE: The Town of Casco will comply with all terms of military leave requests as required by state and federal laws.

E. RETURN TO WORK AFTER WORK RELATED INJURY:

In no instance shall an employee return to work, following a work related injury or illness, without a physician's written release and Town Manager's approval.

The Town Manager reserves the right to request that the employee be examined by a physician of the Town's choice. Should the Town Manager opt to direct an employee to a physician, the Town will pay for the visit and exam.

ARTICLE VIII

RETIREMENT PLAN

The Town of Casco is a participating local district in the ICMA (International City Manager Association) Retirement system. Full time employees may become members of the system with a contribution equivalent to three (3) percent of their wages to be provided by the town. Retirement contributions may vary subject to employee contracts or agreements. Regular part time employees may participate in the ICMA Retirement program but are not entitled to any contribution for the Town.

ARTICLE IX

COMPENSATION: Compensation shall be based upon agreements between the Casco Selectboard and Town Manager. Compensation must be ratified by town meeting vote.

REIMBURSEMENT FOR EXPENSES: All out of pocket expenses incurred by an employee in the fulfillment of their duties to the Town of Casco shall be reimbursable except that all expenses must be approved in advance by the Town Manager.

SECTION 3

DISCHARGE, GRIEVANCE AND APPEAL HEARING PROCESS

ARTICLE I

DISCIPLINE, DISCHARGE AND SUSPENSION

All employees are bound by the Town of Casco Personnel Policy as it pertains to work related issues. In an effort to correct a problem before it becomes a severe disciplinary issue, a progressive discipline policy shall be utilized. One of the goals of the Town of Casco is to maintain a consistent atmosphere of professionalism. Employees should inform their supervisor of any issues that could interfere with job performance. When an employee's conduct interferes with job performance, a multi-step process is followed to correct the problem and prevent recurrence. Progressive corrective actions are undertaken in situations including, but not limited to, the causes of disciplinary action listed below.

The supervisor shall thoroughly investigate the employee conduct that is at issue, including providing the employee with an opportunity to explain or respond to the conduct at issue, prior to administration of any corrective action.

A. It shall be the prerogative of the Town to administer discipline according to the severity of the violation or infraction. The authority to discipline and discharge shall rest with the Town Manager in consultation with the immediate supervisor, except that the Town Manager may delegate authority to take initial disciplinary action to department heads for employees under their supervision. In all cases, the decision to terminate an employee shall be made by the Town Manager. However, it will not become final until the 10-day right to appeal period has ended or the Selectboard have issued their finding and decision on an appeal. The Town Manager shall report all dismissals to the Selectboard.

B. The levels of corrective action include:

1. Verbal warning: The supervisor will discuss the insufficient job performance with the employee. The discussion will include constructive suggestions and a warning that further corrective action will follow if no improvement is shown within a clearly stated period of time. The supervisor will record a brief summary of the verbal warning discussion to be signed by the employee and place in the employee's personnel file.
2. Written warning: Written warnings are generally issued for serious rule violations, continued occurrences of violations for which documented verbal warnings have been issued, or multiple policy violations. A written warning may contain specific matters that need to be corrected and a timeline for improvement. The employee is asked to sign the written warning and required improvement and is told that the document will become part of his/her personnel file.
3. Demotion or Probation: An employee may be demoted and/or placed on probation when the employee is deemed to be unable to adequately perform the duties of his job. This may be as a result of continued performance issues or a single matter that warrants demotion and/or probation. The notice of demotion and/or probation will be included in the employee's personnel file.
4. Suspension: An employee may be suspended with or without pay for a recurring offense or violation or is a single offense that merits suspension. The length of the suspension is based on the seriousness of the offense or violation.
5. Dismissal: The Town Manager may dismiss an employee if his or her job performance or misconduct warrants dismissal. The employee shall be provided with written notice of the reason(s) for the dismissal and the effective date of the dismissal.

CAUSES OF DISCIPLINARY ACTION: The following shall be considered examples of cause for disciplinary action. However, this list is not limited to the list of examples.

1. **Failure to follow orders of one's supervisor, Department Head, or the Town Manager;**
2. **Absenteeism or tardiness;**
3. **Failure to perform assigned work in an efficient manner;**
4. **Willful misuse, theft, destruction or conversion of Town property for personal use;**
5. **Conviction of a felonious crime;**
6. **Use of an alcoholic beverage or unlawful use of a drug when reporting to work or while on the job;**
7. **Inability to get along with fellow employees so that required levels of work are hindered or not met;**
8. **Dishonesty**
9. **Theft of Town Property**
10. **Other causes as determined by the Town Manager.**

C. NOTICE OF DISCIPLINARY ACTION. Notice of such action against an employee must be made in writing and received by the employee not later than the effective date of the action. The notice shall specify the penalty and contain a statement of the reason or reasons for the action taken against him/her.

D. EMPLOYEE'S RIGHT TO APPEAL: A Full time/Regular Part time employee of the Town shall have the right to appeal any disciplinary action to the Selectboard within 10 days after a written notice of the action has been given to the employee. When a written request for a hearing before the Selectboard is filed with the Town Manager, the Town Manager shall convene a hearing of the Selectboard within ten (10) working days of the request for a hearing. The employee and his supervisor shall be advised of the time and place for the scheduled hearing. Both parties shall have the right to be represented and to present relevant witnesses.

E. RESULT OF APPEAL: The finding and decision of the Selectboard shall be preserved by its Chairman and written notice of the findings and decisions shall be final. The findings and decisions shall be sent to the Town Manager, supervisor and employee. Any employee who successfully appeals his/her case shall be reinstated to his/her job without loss of pay, seniority or other benefits.

ARTICLE II

GRIEVANCE PROCEDURE

Grievances, which for the purposes of this policy are defined as disputes with respect to the interpretation or application of the specific terms of this personnel policy, shall be processed in the following manner:

1. An employee who believes he has a grievance shall first present the grievance, in an informal manner, to his immediate supervisor within seven

(7) days of its occurrence. If the grievance is not resolved to the satisfaction of the employee within seven (7) working days, the employee may, within seven (7) working days thereafter, commit the grievance to writing and request the supervisor to render a written decision on the grievance. The written grievance shall contain a concise statement of events allegedly giving rise to the grievance, the specific section of this policy alleged to be violated, all evidence available in support of the alleged grievance, a statement as to when the grievance arose, became known, or should have become known to the employee and a statement of the relief requested. Upon receipt of a grievance in writing, the Supervisor shall respond in writing to the employee within seven (7) working days. Copies of the written grievance and response shall be submitted to the Town Manager.

2. If the grievance is not resolved to the satisfaction of the employee, the employee may, within five (5) working days of the date of the written decision of the supervisor, or within twelve (12) working days of the date of the submission of the grievance in writing, request a review of the grievance by the Town Manager. The Town Manager shall arrange, at the earliest possible time, for a hearing of the grievance which shall include the aggrieved employee and his Supervisor, and which may include the calling of witnesses who may have knowledge of the grievance. The Town Manager may discuss a grievance with the Supervisor at any time prior to the hearing. The Town Manager shall conduct the hearing and respond in writing to the employee and the Supervisor within seven (7) working days following the adjournment of the hearing. The decision of the Town Manager shall be final with regard to the employee's grievance.

3. All grievances shall be filed and appealed within the time limit set forth above or they shall be deemed waived; provided, however, that the time limits may be extended by mutual agreement in writing.

SECTION 4
HARASSMENT POLICY

ARTICLE I

HARASSMENT POLICY

It is the policy of the Town of Casco that all employees have the right to work in an environment free of discrimination and harassment based on their race, religion, color, national origin, age, sex, sexual orientation, physical or mental disability or any other category protected by law. The Town of Casco will not tolerate any form of such discrimination or harassment, by supervisors, co-workers, customers or suppliers. This policy is intended to prohibit offensive conduct, either physical or verbal that threatens human dignity and employee morale, and which interferes with a positive productive work environment.

As outlined in the EEOC Sexual Discrimination Guidelines and the Maine Human Rights Act, sexual harassment is defined as:

Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when:

1. Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment;
2. Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual, or
3. Such conduct has the purpose or effect of substantially interfering with an individual's work performance or creating an intimidating, hostile or offensive working environment.

The following examples are common of the types of conduct that may constitute sexual harassment:

1. Slurs, jokes or degrading comments of a sexual nature.
2. Unwelcome sexual advances.
3. Suggestive or lewd remarks.
4. Unwelcome hugging, touching or kissing.
5. Requests for sexual favors.
6. Repeated offensive sexual flirtation or propositions.
7. The display of sexually suggestive pictures or objects.
8. Repeated unwelcome physical contact or touching such as patting, pinching, or constant brushing against another's body.

Consistent with the above guidelines, it is the policy of the Town of Casco that no personnel action be taken affecting an employee (either favorably or unfavorably) on the basis of conduct that is not related to performance, including such conduct as submitting to sexual advances, refusing to submit to sexual advances, protesting sexual overture, or raising a complaint concerning an alleged violation of the policy.

This policy prohibits any overt or subtle pressure for sexual favors including implying or threatening that an applicant's or employee's cooperation of a sexual nature (or lack thereof) will have any effect on the person's employment, job assignment, wages, promotion, any other condition of employment, or future job opportunities. This policy also prohibits any conduct which would tend to create an intimidating, hostile or offensive work environment.

Supervisors and managers are responsible for monitoring behavior which can be construed to be harassment prohibited by this policy and for initiating necessary action to eliminate such behavior. Any employee who feels that he

or she is a victim of harassment prohibited by this policy should immediately report the matter to his or her supervisor or, if the employee would prefer, to the Town Manager, or the Chair of the Selectboard.

The supervisor will immediately bring the complaint to attention of the Town Manager so that the manager may promptly begin an investigation of any complaints of harassment prohibited by this policy and where warranted, take prompt, effective, corrective action. Depending on the circumstances, such action may include suspension, demotion, or termination of employment.

Any questions regarding this policy should be addressed to David P. Morton, Town Manager. Any employee who believes that he or she has been the victim of harassment prohibited by this policy, or has knowledge of that kind of behavior, is urged to report such conduct immediately. No employee will be retaliated against for complaining about harassment prohibited by this policy.

A T T A C H M E N T S

Attachment 1

Procedural Clarification of Personnel Policy on Compensatory Time and Leave Approval

To: All Employees and Appointing Bodies
From: David P. Morton, Town Manager
Date: 10/22/97

Re: Procedural Clarification of Personnel Policy on Compensatory Time
and Leave Approval

WHAT IS COMP TIME?

Compensatory time is paid time off that may be granted to an employee at the discretion of the appointing body.

HOW DO I EARN COM TIME?

Prior approval must be given by the Appointing body before the employee can begin to work extra hours for com time. In order to earn comp time you must have worked more than 40 (forty) hours in a given week. If your normal work week is 30 hours and you work 34 you are not eligible for four hours of comp time. **You must work over forty hours in order to be eligible for comp time.**

HOW CAN I EARN COMP TIME IF I AM PAID ON AN HOURLY WAGE SCALE?

An Appointing Body with hourly wage employees may simply choose to pay an employee for the number of hours worked at the appropriate rates (regular hourly wage for every hour up to forty; time and one half the hourly wage for every hour over forty). However, hourly wage employees may receive comp time instead of overtime pay if both the employee and the Appointing Body are agreeable to the idea. Since hourly wage employees are covered by the Fair Labor Standards Act they must receive 1.5 hours of comp time for every 1.0 hour worked over forty.

CAN SALARIED EMPLOYEES EARN COMP TIME?

Yes, they can earn comp time if the Appointing Body or immediate Supervisor has given the employee prior approval to work extra hours in exchange for comp time. Salaried employees must work more than forty hours in a given work week in order to earn comp time. Salaried employees receive only one hour of comp time for every hour worked over forty because they are exempt from the Fair Labor Standards Act.

HOW SHOULD COMP TIME BE RECORDED?

At a minimum, the Appointing Body must receive a written record of comp time earnings. This record must include the dates of the work week in which the time was earned, the total number of hours worked in that week, and a total number of comp hours available for use.

WHAT IS THE PROCEDURE FOR AN EMPLOYEE USING COMP TIME?

Any usage of comp time must be approved by the appointing Body. The employee's request will be accepted or denied on the basis of the impact on department operations. Comp time should not be carried over from year to year.

IF AN EMPLOYEE RESIGNS CAN THEY BE PAID OUT OF EARNED COMP TIME?

An employee may be paid out for comp time upon resignation if:

1. Both the Appointing Body and the employee agreed that comp time could accrue.
2. The amount of comp time is verifiable through written records.

All these conditions must be met before paying out for comp time can even be considered.

LEAVE APPROVAL VACATION AND PERSONAL TIME

The process for requesting use of vacation or personal time is as follows:

1. The employee makes a written request to their appointing body or immediate Supervisor on a Leave Request form at least one week in advance of the days they are requesting off. The advance notice requirement may be waived at the discretion of the appointing body.
2. The appointing body or immediate supervisor will review the Leave Request and either grant or deny the request based on its impact to departmental operations.
3. The Leave Request slip is returned to the employee. If the leave is granted the employee may turn it over to the payroll administrator (the person who makes out your weekly timesheets).
4. The payroll administrator turns in the signed request form with the weekly payroll report.
5. After the employee's pay has been calculated the leave used by the employee is recorded and held with their personnel records.

SICK LEAVE

The procedure for an employee to request the use of sick leave is as follows:

1. Whenever possible the employee should give the appointing body or immediate supervisor as much advance notice as possible.
2. A written request is not required for sick leave; however, a verbal request by phone must be made to the immediate supervisor or the appointing body. If the employee is unable to call a relative or friend should inform the employer.
3. The immediate supervisor or the appointing body must approve the use of sick leave before it can be paid to the employee.

I hope this information is helpful and clarifies any questions or problems you may have been experiencing. If you are still confused, please do not hesitate to contact me.

PERSONNEL POLICY SIGNATURE LETTER FORM

To the Town Manager:

My signature on this letter indicates that I have received a copy of the Town of Casco Personnel Policy as Amended by the Selectboard, August 2015.

I further understand that it is my responsibility to read and follow the rules set forth in this policy.

Signature

_____ Print Name

_____ Date

TOWN OF CASCO

Leave Request Form

Part A to be filled out by employee. Part B to be filled out by Appointing Body or immediate Supervisor.

Part A

Date Submitted: _____

Employee name: _____

Type of leave requested: (Circle One)

Vacation Medical Sick Personal Comp

Date(s) for which leave is requested: _____

Part B

Leave is: Approved Denied (See Reason below)

Signature of Supervisor or Appointing Body

Vacation Scheduling Policy

From: David Morton, Town Manager

To: Casco Staff

Date 1-8-2014

In an effort to clarify policy for assigning scheduled vacation, and in an effort to give employees a fair opportunity to schedule "prime times" for vacation, see the general guidelines below.

1. Consideration for approval of vacation time will take into account staffing needs for providing service to the community.
2. Requests should be made for requested vacation time after Jan. 1 and by Feb. 1st for the current year.
3. In recognition that there are certain prime or desirable times and everyone cannot have the same leave time, consideration for those times will be on a rotating basis. A person is not guaranteed the same vacation time each year. Exceptions will be made to accommodate military personnel for required training and service.
4. If there are not competing requests submitted by Feb.1st then a person may have the same time in consecutive years.
5. If more than one person applies for a scheduled vacation time and they have not enjoyed that time previously the first person submitting the written request will have preference. If multiple people can be accommodated for the same vacation times because adequate staffing is available that accommodation will be made.
6. Exceptions and changes may be made to schedules because of unusual circumstances including, but not limited to such things as illness, surgery, etc. as determined by the Town Manager.
7. Efforts will be made to honor requests for vacation time to allow employees to get the most enjoyment out of their vacation time.
8. Sick leave cannot be used for vacation time. Sick time may be used to cover work shutdown time because of inclement weather or other emergencies. If personal leave time is required, please consult with manager.
9. If questions or conflicts arise between guidelines refer to #1.

Attachment 4

Right to Know Law
State of Maine
M.R.S.A SS 401-41