

TOWN OF BOWDOINHAM



PERSONNEL POLICY

ADOPTED AUGUST 10, 2010
AMENDED JUNE 28, 2011
AMENDED JULY 12, 2011
AMENDED OCTOBER 11, 2011
AMENDED AUGUST 5, 2014
AMENDED NOVEMBER 12, 2019
AMENDED JANUARY 12, 2021
AMENDED FEBRUARY 9, 2021
AMENDED JANUARY 11, 2022
AMENDED FEBRUARY 8, 2022
AMENDED SEPTEMBER 26, 2023
AMENDED OCTOBER 8, 2024
AMENDED DECEMBER 2025

9.1 FULL-TIME EMPLOYEE: An employee who is regularly scheduled to work forty (40) or more hours per week. Full-time employees are entitled to paid holidays, vacation time, sick leave, and benefits as described in this Handbook.

9.2 PART-TIME EMPLOYEE: An employee who is regularly scheduled to work less than forty (40) hours per week. Part-time employees hired prior to September 1, 2010 are eligible for paid holidays, vacation time, sick leave and benefits as described in this Handbook. Part-time employees hired on or after September 1, 2010 are not eligible for any paid vacation time, sick leave and/or benefits described in this Handbook, except as required by state and/or federal law. Effective January 1, 2021, part-time employees hired on or after September 1, 2010, are entitled to earned paid leave pursuant to 26 MRS 637.

Permanent part-time employees (~~at least 32 hours per week~~) shall be afforded the same holiday pay as full-time but the benefits will be pro-rated to the average daily hours worked. (This applies only if the holiday falls on a day regularly worked in a standard week).

9.3 TEMPORARY EMPLOYEE: An employee who is hired to fill a position created to meet the special needs of the Town, whose position is intended to continue only for a limited period of time. A temporary employee is not eligible for any of the benefits described in this Handbook, except as required by state or federal law. A temporary employee may be discharged at any time with or without notice. Effective January 1, 2021, temporary employees are entitled to earned paid leave pursuant to 26 MRS 637.

9.4 EXEMPT EMPLOYEE: An employee whose position meets specific criteria established by the Fair Labor Standards Act (FLSA) and who are exempt from overtime pay requirements under applicable law.

9.5 NON-EXEMPT EMPLOYEE: An employee whose position does not meet FLSA criteria for an exemption from the overtime requirements and who is entitled, under applicable law, to compensation in the form of overtime wages or compensatory time off for hours worked in excess of 40 hours per week.

9.6 EXCLUSIONS: The following stipend and/or part-time positions (regardless of date of hire) are not eligible for any paid holidays, vacation time, sick leave and/or benefits described in this Handbook: EMS Director, Health Officer, Cemetery Sexton, Animal Control Officer, Harbor Master, Volunteer Firefighters, and Selectmen, except as required by state and/or federal law. Effective January 1, 2021, stipend/part-time employees are entitled to earned paid leave pursuant to 26 MRS 637.

9.7 ON-CALL EMPLOYEE: An employee with an appointment to work on an intermittent and as-needed basis. Employees who are on call do not have a regular schedule but work as available and as needed. Such employees are paid only for the hours that they worked or by annual stipend and are not eligible for any other benefits except those mandated by Federal and State Laws or as specifically stated in these policies.

Continued absence without having arranged for an extension of leave may be deemed a resignation from the service. Employees may choose to continue employer provided benefits for the duration of the leave at their own expense. Vacation, sick leave and other accrued benefits shall cease to accrue during the leave. When computing length of service for any reason, time spent on a leave of absence will not be computed. Employment and leave of absence shall terminate when the employee accepts other employment.

SECTION 15. EMPLOYEE BENEFITS

It is the objective of the Town to provide employees with a competitive benefits package. Eligible employees may be entitled to receive medical insurance and other core benefits to the extent that the Town offers such benefits and provided that the employee contributes to the cost of such benefits in an amount determined by the Town. The benefits offered by the Town may be changed or amended at any time. The Town's benefits program must be responsive to the changing needs and values of the employees, new and revised legal requirements and our Town's financial circumstances. Accordingly, as required or justified, new benefits may be added, others deleted, and changes may be made to existing benefits at any time. The Town will attempt to notify you of these changes; however, notice is not required for any changes to become effective.

15.1 LIFE INSURANCE: The Town will provide each full-time and eligible part-time employee with a term life insurance policy equal to one year's salary. Employees may choose to purchase additional life insurance at their own expense.

15.2 HEALTH INSURANCE AND HEALTH REIMBURSEMENT ARRANGEMENT

A. Health Insurance: Full-time employees with a start date prior to March 1, 2019 will maintain a health insurance plan paid 100% by the Town for the family plan (employee, spouse and dependents). The Town reserves the right to decide what plan to offer employees on an annual basis.

As of March 1, 2019, new full-time employees will be offered a health insurance plan paid 100% by the Town for the employee-only plan and 85% for the employee and spouse plan, employee and children plan or family plan. *(This change adopted by the Select Board on January 8, 2019).*

Permanent part-time employees, that work on average 20 hours per week or more will be offered a health insurance plan paid 100% by the employee.

B. Health Reimbursement Arrangement (HRA): The Town will provide an HRA account for each full-time eligible employee and each eligible part-time employee as part of the Town's health insurance benefit. Full-time eligible employees will receive reimbursement for qualified medical expenses up to \$5,000 per calendar year. Part-time eligible employees will receive reimbursement for qualified medical expenses up to \$2,500 per calendar year. *(Select Board changed HRA amounts to \$5,000 for full-time employees and \$2,500 for eligible part-time employees on February 9, 2021).*

This is a "Use it or Lose it" account and no amounts are accrued or carried forward from one calendar year to the next. Reimbursements will be submitted to a third party administrator by the employees directly for reimbursement. Employees must submit reimbursement requests for expenses incurred on or before December 31st prior to March 31st of the following calendar year.

C. Health Insurance Open Enrollment: ~~Full-time~~ Employees who have met the eligibility requirements may enroll annually during the "open enrollment" period specified by the plan for coverage for the following plan year or as allowed by the plan for a life changing event.

D. Non-Enrollment: Eligible, full-time employees who elect not to enroll in the Town's health insurance and provide proof that they are receiving health insurance under another employer's group sponsored health plan will receive a reimbursement for the cost of coverage under the other plan; non-exempt employees will receive \$1.70 per hour added to their regular pay rate and exempt employees will receive a monthly payment of \$300. This monthly payment will be taxed in accordance with IRS regulations.

(The above section – 15.2 – was adopted as an amendment by the Select Board on August 5, 2014).

15.3 ICMA RETIREMENT FUND (IRS 457): The Town shall provide an ICMA Deferred Compensation Plan for full-time and eligible part-time employees. The Town shall match the first 2% the employee contributes to retirement through payroll deduction at 100%; and shall match the next 4% the employee contributes through payroll deduction at 50%.

15.4 NEW HIRE ELIGIBILITY: Life Insurance, Flexible Health Benefit, Medical Expense Reimbursement and ICMA Retirement Fund will be available to new full-time employees on the first day of the month following their date of hire.

SECTION 16. DISCIPLINARY ACTION

An employee who fails or refuses to comply with the Town's policies or who engages in any act that interferes with the rights or proper interests of the Town, its employees or the public, may be subject to disciplinary action. In administering disciplinary action, the Town may give consideration to, among other factors, the seriousness of the offense, the employee's past record and the circumstances surrounding the particular case.

16.1 PROGRESSIVE DISCIPLINE: Whenever, in the supervisor's judgment, employee performance, attitude, work habits or personal conduct at any time falls below a suitable level, the supervisor shall inform the employee promptly and specifically of such lapses and give counsel and assistance, including appropriate remedial measures. Discipline will normally be initiated in the following manner: verbal warning; written warning; suspension (with or without pay); and termination. However, depending on the nature of the offense, the Town has the right to impose the discipline the Town considers warranted based upon the nature and gravity of the offense and is not under a duty to follow all the progressive steps of discipline in every case.