

# 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 NOVEMBER 25, 2025  
AMENDED APRIL 28, 2026

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**SUMMARY**

**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 shall be eligible to paid holidays, earned paid leave, health insurance and life insurance benefits as outline in this Handbook, 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).

*\*Part-time employees hired prior to September 1, 2010 shall remain eligible for paid holidays, vacation time, sick leave and benefits as described in the November 25, 2025 Handbook.*

**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

- C. Any and all overtime requires prior authorization of the Town Manager.
- D. Sick leave, vacation time, holidays, jury duty, bereavement and other personal time off from work shall not be considered hours worked for purposes of calculating overtime compensation.
- E. Employees working overtime may be compensated with time off in lieu of receiving overtime pay ("comp time".) Comp time shall be earned at the rate of one and one-half times the normal rate after forty hours worked. The maximum amount of comp time that may be accrued under this policy shall be no more than forty hours. If an employee works overtime and has accrued forty hours of comp time, they shall receive overtime pay as set forth herein.

**10.6 TIME RECORDS:** All employees will be issued timesheets to record their working hours on a daily basis. Timesheets must be accurate and filled out and signed only by the employee. Please remember that your timesheet is a personal record of your hours worked. It becomes the legal record of your employment. The timesheets will be used to complete the payroll and to determine overtime compensation. Falsifying one's own time or that of another employee is strictly prohibited and may be grounds for immediate dismissal.

**10.7 ALTERNATIVE WORK SCHEDULES:** The Town Manager may, at his/her discretion, approve an alternative work schedule for eligible employees when such a schedule serves the operational needs of the Town and does not diminish service to the public.

- A. Four-Day/Ten-Hour Workweek: A full-time employee may request a compressed work schedule consisting of four (4) ten-hour workdays per week in lieu of the standard five (5) eight-hour workday schedule. Such a schedule must be approved in advance by the Town Manager and, where applicable, the employee's Department Head. Approval is not guaranteed and may be denied, modified, or rescinded at any time based on the Town's operational needs.
- B. Conditions of Approval: The following conditions apply to any approved four-day/ten-hour schedule:
  - a. The employee must complete forty (40) hours of work within the four-day period. The compressed schedule does not reduce the total number of hours required in a standard work week.
  - b. The specific days and hours of the schedule shall be determined by the Town Manager and/or Department Head in consultation with the employee, and must ensure adequate coverage of Town operations.
  - c. Holiday pay, sick leave, and vacation time shall continue to accrue and be applied based on an eight (8) hour workday. On a week containing a Town holiday, the employee shall either revert to the standard five-day schedule for that week or,

with Town Manager approval, adjust their schedule to account for the holiday hours, as the holiday pay benefit covers eight (8) hours, not ten (10).

- d. Overtime shall be calculated on the basis of hours actually worked in excess of forty (40) hours per week, consistent with Section 10.5 of this policy and applicable law.
- e. An approved alternative schedule may be suspended temporarily during peak workload periods, emergencies, or as otherwise determined necessary by the Town Manager.

C. Request Process: Employees wishing to request a compressed work schedule shall submit a written request to their Department Head and the Town Manager describing the proposed schedule and how Town operations and public service will be maintained. The Town Manager shall respond in writing within ten (10) working days of receiving the request.

## **SECTION 11. HOLIDAYS**

**11.1** All full-time and part-time employees shall be paid for the following fourteen (14) holidays per year, in addition to vacation, a schedule of which shall be posted by July 1<sup>st</sup> each year.

New Year's Day	Independence Day
Martin Luther King Day	Labor Day
President's Birthday	Veteran's Day
Patriot's Day	Indigenous Peoples' Day
Memorial Day	Thanksgiving Day & day after
Juneteenth	December 24 and Christmas

**11.2** The hours paid for Holiday Pay shall be equal to the hours in an employee's regular work day. For example, if an employee normally works 4 hours per day, the holiday pay shall be four hours. If a holiday is observed on a day the employee is not regularly scheduled to work, the employee will not receive holiday pay for that day.

**11.3** If a non-exempt employee is required to work on a holiday listed in this Section, they will be compensated on a time and a half basis for their hours worked, in addition to receiving holiday pay as stated in section 11.2 above. Any exempt employee who agrees to work on one of the holidays listed above (in the event that the Town Manager determines it to be necessary) shall be entitled to receive either one and one-half (1.5) times their regular rate of compensation or, at the employee's option, the employee shall be permitted to exchange the holiday worked for another day off which would be paid at the employee's regular rate of pay, and not at time and one-half.

**11.4** If the holiday falls within a vacation period, it is not counted as part of the annual vacation allowance; an additional day of vacation may be added to the earned vacation time.

**11.5** An employee on leave of absence without pay shall not be entitled to holiday pay.

## **SECTION 12. VACATIONS & EARNED PAID LEAVE**

*(amended by Board of Selectmen 01/12/2021 to address Earned Paid Leave)*

**12.1** Accrued vacation time vests on the last day of each month provided that the employee is employed at the end of the month. Vacation time and earned paid leave time begins to accrue on the first day of employment. However, vacation time may only be taken after 120 days of employment the successful completion of the probationary period (except in the case of promoted employees who may use accrued vacation time during the probationary period of their new position) and at such time or times as shall be mutually agreeable to the employees and their supervisors. Vacations will be scheduled as near to the requested time as possible but may be subject to change based on the scheduling needs of the Town. Except as provided herein or otherwise required by law, vacation time will not accrue while an employee is on a leave of absence.

Earned paid leave time is earned based on hours worked, per 26 MRS 637. Earn paid leave begins to accrue on the first day of employment, however, may only be taken after 120 days of employment.

Full-time employees (except the Town Manager), ~~eligible part-time employees and other part-time, temporary and/or stipend employees~~ shall earn annual paid vacation time and/or earned paid leave on the following basis:

### **Full-Time Employees:**

- A. Vacation time shall be accrued at the rate of 6.66 hours per month (80 hours per year) during the first and second year of employment.
- B. Vacation time shall be accrued at the rate of 10 hours per month (120 hours per year) during the third through the eighth year of continuous employment.
- C. Vacation time shall be accrued at the rate of 13.33 hours per month (160 hours per year) every year after the eighth year of continuous employment.
- D. For the purpose of calculating years of service with regard to eligible part-time employees who later become full-time employees, the Town will consider the average amount of hours worked per week multiplied by 52 weeks. (Example: employee who averaged 20 hours a week (1,040 hours annually) for 2 years (a total of 2,080 hours or the equivalent of one year) is considered to have worked 1 year.

### **~~Eligible Part-Time Employees:~~**

- ~~A. Shall receive vacation time equal to an employee's regularly weekly scheduled part-time hours during the first year of service. (Example: A 20 hour work week would result in 20 hours of vacation time)~~

- ~~B. Vacation time shall be accrued at the rate of double an employee's regular weekly scheduled part-time hours every year after the first year of continuous employment.~~
- ~~C. Vacation time shall be accrued at the rate of triple an employee's regular weekly scheduled part-time hours every year after the fourth year of continuous employment.~~

**Other Part-Time, Temporary and/or Stipend Employees:**

- ~~A. Qualifying employees per 26 MRS 637, shall accrue one (1) hour of earned paid leave for every forty (40) hours worked.~~
- A. Shall receive earned paid leave at a rate of one (1) hour of earned paid leave for every forty (40) hours worked.
- B. Unused, accrued earned paid leave will roll-over and be available for use in future years, except that roll-over will be capped at sixty (60) hours. The Town will use an employee's anniversary of employment for purposes of determining the when the "year" begins and ends.

12.2 With the prior approval of the Town Manager, an employee may take vacation time before it accrues up to the total amount of vacation time that the employee expects to earn in the current calendar year. Upon termination of employment, an employee must refund the value of any vacation time taken in excess of what rightfully accrued.

12.3 Upon termination of employment, an employee will be entitled to vacation/earned paid leave pay in an amount equal to any vacation/earned paid leave time which has accrued, but which has not been used or forfeited.

12.4 An employee shall not be allowed to work and be paid double their usual wage during his their vacation period, ~~unless approved by the Town Manager.~~

12.5 ~~Time off~~ Vacation dates must be approved by the Town Manager or the employee's Department Head. Vacation dates for Department Heads shall be scheduled and approved by the Town Manager. Due consideration shall be given to an employee's seniority in regard to scheduling vacations.

This policy is to be a "Use It or Lose It" policy, therefore, the accumulation of vacation time beyond the current year's allotment is discouraged. In the event an employee accumulates vacation time in excess of one year's allowance, the employee may carry forward, on their anniversary date, no more than 10 days of vacation plus one year's allowance and the rest will be lost. *(amended by Board of Selectmen on 6/28/2011) (amended by Board of Selectmen 10/11/2011)*

If an employee is unable to use their vacation time due to extenuating circumstances, upon written request, the Town Manager may allow the employee to keep excess time beyond their anniversary date. *(amended by Board of Selectmen 01/12/2021)*

## **SECTION 13. SICK LEAVE**

**13.1** Sick leave shall accrue for full-time employees at the rate of 4 hours for each completed full month of service (up to a maximum of ninety (90) working days). *(amended by Board of Selectmen on 7/12/2011)*

~~**13.2** Eligible part-time employees shall accrue sick time at the following rates (up to a maximum of forty-five (45) working days):~~

- ~~A. Employees working 20 hr./week accrue leave at the rate of two (2) hours for each completed full month of service.~~
- ~~B. Employees working 10 hr./week accrue leave at the rate of one hour (1) for each completed full month of service.~~
- ~~C. Employees working 5 hr./week accrue leave at the rate of one-half (1/2) hour for each completed full month of service.~~

**13.3 ACCRUAL OF SICK LEAVE:** The accrual process begins on the first day of employment but may only be used upon successful completion of the probationary period, except in the case of promoted employees who may use accrued sick time during the probationary period of their new position. The accrued sick time vests on the last day of each month provided that the employee is employed at the end of the month. Except as otherwise provided herein or required by law, sick time will not accrue while an employee is on a leave of absence. An employee may take sick time before it accrues up to the total amount of sick time that the employee expects to earn in the current calendar year. Upon termination of employment, an employee must refund the value of any sick time taken during his or her period of employment greater than has rightfully accrued.

**13.4 USE OF SICK LEAVE:** Sick leave may not be used as additional vacation time and shall be granted only in the following circumstances:

A. Personal illness or physical incapacity of such a degree as to render the employee unable to perform duties unless the employee is capable of other work in his division and assigned to such other work. Eligibility for sick leave under this provision shall include illness or incapacity for maternity reasons. If requested, an employee taking sick leave shall furnish the Town Manager with a certificate from his/her attending physician.

A. Illness of family member: Employees may be eligible for paid sick leave when there is sickness or incapacity involving a member of the immediate family which requires the employee's personal care and attendance, provided that requiring the employee to report to work would cause a serious hardship on the member of the immediate family suffering from the illness or incapacity.

assault or stalking, provided that the need for leave is communicated to the Town within a reasonable period of time, the Town would not sustain undue hardship from the employee's absence, and the leave is not impractical, unreasonable, or unnecessary.

**14.9 OTHER LEAVES OF ABSENCE:** In instances when a leave of absence is requested that is not in the nature of the leaves specified above, a fulltime employee may be granted a leave of absence without pay in the discretion of the Town Manager for a period not to exceed sixty (60) calendar days. The employee is expected to return to work upon the expiration of a granted leave or to have arranged an extension of a granted leave, at the discretion of the Town Manager. 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. Part-time employees who participate in the Town's health insurance will also receive 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:** The Town will approve a base plan annually, and may approve alternative plans. Employees may choose to enroll in an alternative approved plan option; however, the Town's contribution will not exceed the cost of the base plan, and the employee will be responsible for paying the difference in cost between the base plan and their chosen plan.

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 base plan (employee, spouse and

dependents, and family). 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 was 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 by the Town up to 50% of individual base plan towards the employees selected plan 100% by the employee. *(This change was adopted by the Select Board on November 25, 2025).*

**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 31<sup>st</sup> prior to ~~February 28<sup>th</sup>~~ March 31<sup>st</sup> of the following calendar year.

**C. Health Insurance Open Enrollment:** 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%.