

The following was adopted at the Town Council Meeting on May 17, 2022:

Chapter 90 PERSONNEL POLICY^[1]

VOTE (2022-125C) Councilor Fellows, seconded by Councilor Robishaw, moved to approve amendments to the Town Personnel Policy in the form presented to the meeting as follows: Section 90-2 (b) (1) Benefit Entitlement, Section 90-7 Compensation and the attachment A Pay Plan, Section 90-8.5 Educational Incentive new Section, Section 90-10 Employees Exempt from Fair Labor Standards Act Section 90-21.f Sick Leave, new sub Section, Section 90-32.5 Longevity Stipend.

Chapter 90 PERSONNEL POLICY^[2]

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Sec. 90-2. Benefit entitlement.

(a) Definitions.

- (1) Full-time employee means a permanent employee whose regularly scheduled work week is 30 hours or more.
- (2) Part-time benefit eligible employee means a permanent employee whose regularly scheduled workweek is less than 30 hours but more than 20 hours.
- (3) Part-time benefit ineligible employee means any employee, permanent or otherwise, who works a work schedule of less than 21 hours per week or an employee, regardless of hours worked, who is per diem or temporary, such as a seasonal employee or one who is filling in for a permanent employee who is absent (i.e., workers comp leave of absence)—see Section 90-4.5.
- (4) When classifying employees who work irregular schedules, hours worked per week shall be the average of a four-week cycle.

(b) Benefit levels.

- (1) *Full-time employees.* Permanent full-time employees shall be entitled to full participation in the following benefits:
 - a. Sick leave.
 - b. Bereavement.

^[1]Editor's note(s)—Codified in this chapter is the personnel policy of the town, as adopted by the former board of selectmen on Jan. 16, 1989, as amended through December 16, 2014. Amendments to the amended policy are indicated by parenthetical history notes following amended provisions. The absence of a history note indicates that the provision remains unchanged from the original amended policy.

Cross reference(s)—Administration of Code of Ordinances, ch. 2.

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Cross reference(s)—Administration of Code of Ordinances, ch. 2.

- c. Jury service.
- d. Leaves of absence.
- e. Holidays.
- f. Vacation.
- g. Personal leave.
- h. Employee assistance program.
- i. Medical insurance.
- j. Retirement.
- k. Earned paid leave (Title 26, §637).

L. Educational Incentive

- (2) *Part-time employees.* Part-time benefit eligible employees shall be entitled to a pro rata share of the following listed benefits:

- a. Sick leave.
- b. Bereavement.
- c. Jury service.
- d. Leaves of absence.
- e. Holidays.
- f. Vacation.
- g. Personal leave.
- h. Employee assistance program.
- i. Earned paid leave (Title 26, §637).

In arriving at the appropriate pro rata level of any particular benefit, the part-time employee's regularly scheduled workweek shall be divided by 30. Earned Paid Leave is not subject to pro-ration but is based on hours worked as required by state statute, Title 26, §637. Medical benefits and retirement benefits are not available to this classification of employee.

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Sec. 90-7. Compensation.

It is the intent that all town employees are paid salaries and compensation for comparable public and private work in the area and that will attract and retain well-qualified employees. This compensation shall be set annually by the salary order of the council upon the recommendation of the town manager. Jobs included in collective bargaining agreements shall have salary grades and ranges as determined through negotiations, and as expressed in these agreements.

Pay Plan (Salary Grade and Ranges) **See Attachment "A"**

The town manager shall prepare a recommended uniform and equitable pay plan for those positions not included in collective bargaining agreements. This pay plan shall be presented to the town council for review and approval. Determination of salary ranges shall be based upon qualifications required, prevailing rates of pay for comparable work in other public employment in the area, the financial policy of the community, and any other relevant factors. After adoption by the council, no position may be assigned a salary higher than provided for. Merit

pay shall be available as an added percentage to each step raise upon successful completion of a pay for performance plan. The elements of each employee performance plan shall be approved by the town council. The salary grade of the new employee may reflect prior training and experience.

(T.M. of 7-31-2007, § 2007-115; T.M. of 4-7-2009, § 2009-62; C.M. of 8-19-2014, V. 2014-159)

Sec. 90-8. Training.

Both the town and the employees profit from the provision of educational training opportunities at reasonable expense to the town. Training programs shall be selected or designed to improve the quality of the employee's performance and to bring about a more efficient, effective or economical operation. Training programs which are intended for reimbursement must have prior approval from the town manager and must be directly related to improvement of required job skills/knowledge. Upon satisfactory completion of the course work, the employee may file an expense account with the town manager for prior approved expenses incurred while taking the course. The town manager will cause to be placed before the council a budget recommendation each year for training needs.

(T.M. of 7-31-2007, § 2007-115; T.M. of 4-7-2009, § 2009-62; C.M. of 8-19-2014, V. 2014-159)

Sec. 90-8.5 Educational Incentive:

[Starting after July 1, 2023, full-time employees will be able to receive this Educational Benefit.] In order to encourage professional development, the Town agrees to pay all or a portion for the cost of courses, including tuition, for bachelors or associates level courses related to the job description they are currently employed in at the Town of Lisbon. [Employees that are Department Heads, shall also be eligible for reimbursement of Master's Degree level courses.] In order to be eligible for reimbursement, employees must give written notice of intent to take a specific course to the Department head by February 1 preceding the fiscal year in which the course will be taken. Reimbursement will be limited to 2 courses per fiscal year for any one employee, and it has to be related to their field of work. Tuition payments will be capped at University of Maine rates. Such payments shall be made upon successful completion of the course with a grade of no less than "B".

Sec. 90-9. Evaluation.

- (a) In order to ensure the public the highest quality of services, all personnel shall be formally evaluated, in writing, by the employee's immediate supervisor. The supervisor shall conduct these evaluations as frequently as is deemed desirable; however, every employee shall be evaluated every year. The employee shall review, sign, date and comment on the evaluation before it is submitted to the town manager.
- (b) Probationary employees shall be formally evaluated, in writing, at the end of their probationary period by each employee's immediate supervisor. A successful evaluation will result in the employee's achieving permanent status. This report will be sent to the town manager for review.

(T.M. of 7-31-2007, § 2007-115; T.M. of 4-7-2009, § 2009-62; C.M. of 8-19-2014, V. 2014-159)

Sec. 90-10. Employees exempt from Fair Labor Standards Act.

The salaried employees having the following job titles are considered to be exempt from overtime and certain other provisions of the federal Fair Labor Standards Act because they meet the tests for either executive, administrative, or professional positions:

Town manager.

Assistant Town Manager

Human Resource Director

Parks and recreation director.

Finance director.

Assessor.

Public works director.

Code enforcement officer.

Fire chief.

Police chief.

Director of economic and community development.

Library director.

Town clerk.

Tax collector.

Treasurer.

(T.M. of 7-31-2007, § 2007-115; T.M. of 4-7-2009, § 2009-62; C.M. of 8-19-2014, V. 2014-159; C.M. of 1-5-2021, V. 2021-04)

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Sec. 90-21. Sick leave.

- (a) Sick leave for all full-time permanent employees is earned at five hours per month. For employees as of July 1, 2003, sick leave may be accumulated to, but not exceeding, 960 hours of unused sick leave, Any employees hired after July 1, 2003 may accumulate up to 720 hours of unused sick leave, Employees who go an entire calendar year (calendar year from January 1 to December 31) without using sick leave will be granted an additional day of vacation leave to be used at their discretion with approval of the town manager.
- (b) Sick leave may be granted by the town manager for salaried officials under the manager's supervision. Also, sick leave may be granted to an employee due to illness of a member of the employee's immediate family, at the discretion of the town manager.
- (c) In order to be eligible for sick leave compensation, the employee shall complete the necessary form and return it to the department head for approval, After a decision by the department head, the form and department head's recommendation is forwarded to the town manager for a final decision, either approving or denying the request. The town manager may require a certificate from a qualified physician certifying that the condition of the employee justifies the absence from employment after three days absence.
- (d) *Entitlement upon separation.* Sick leave accumulation shall be forfeited upon separation from town employment unless the employee has 15 years of continued service. Upon separation employees with 15 or more years of consecutive service shall receive one-quarter of their accumulated unused sick leave to a maximum payment of 30 days. Such payment shall be made at the employee's regular rate of pay at the time of separation. Employees terminated for cause will not be entitled to sick leave pay out at separation.
- (e) *Sick leave bank.* An employee shall designate on a form provided by the town by June 30 of each fiscal year of any sick leave that would have accrued to an employee, who has reached the maximum accrual level, may at the election of that employee be credited to the town's sick leave pool. Any retiree who is leaving the employment of the town may donate accumulated sick leave, not otherwise reimbursed, to the sick leave pool. The pool may accumulate up to a maximum of 1,000 hours. Any employee of the town not covered by a bargaining agreement, who because of serious or extended illness or extenuating circumstances, is without sick leave, may draw sick leave from the pool. The employee's use of sick leave from the pool shall be in accordance with the following terms and conditions:
 - (1) A condition which supports the need for the use of sick leave shall be a legitimate long-term disability or illness suffered by the employee.

- (2) The condition shall not be the result of a work related injury.
 - (3) The employee suffering the long-term disability or illness shall have no income and shall not be in a condition to earn income.
 - (4) Any allocation of sick leave shall be in increments of no more than 160 hours and shall be reviewed at least monthly for continued eligibility.
 - (5) Nothing herein shall affect the employee's rights under the Federal and State Family and Medical Leave Acts. Time spent on sick leave provided under the sick leave pool under the provisions of this section shall be included for purposes of calculating available timeframes under State and Federal Family and Medical Leave Acts.
- (f) Accumulated sick leave also may be used when an employee is required by the employer to stay home from work for purposes of quarantine or isolation during a declared state or federal emergency related to a health pandemic or epidemic.

All decisions regarding allocation of sick leave from the sick leave pool shall be approved by the town manager after determining that the above terms and conditions have been met and after reviewing the employee's previous use of sick leave. If it is determined that the conditions of this section are met and there is no evidence of previous abuse of sick leave, then approval will not be unreasonably withheld. All decisions by the manager, however shall be final and shall not be subject to appeal, grievance or any other provision or procedure under these personnel rules or otherwise available.

(T.M. of 7-31-2007, § 2007-115; T.M. of 4-7-2009, § 2009-62; C.M. of 8-19-2014, V. 2014-159; C.M. of 1-5-2021, V. 2021-04)

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Sec. 90-32.5. Longevity stipend.

Starting after July 1st 2023 For non-union employees with full-time status and qualifying years of service, longevity stipends will be awarded on their anniversary date of service as follows:

5 years\$1,040

10 years\$1,560

15 years\$2,080

20 years\$2,600

25 years of service, increase the current hourly pay by \$1.00/hour

30 years of service, increase the current hourly pay by \$1.00/hour

35 years of service, increase the current hourly pay by \$1.00/hour

(C.M. of 8-19-2014, V. 2014-159; ; C.M. of 1-5-2021, V. 2021-04)

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“ATTACHMENT “A”



Order passed – Vote 6-0.