City of Saco

Personnel Policy for
Non-Union employees
Table of Contents

Chapter 1   Employment Policies
1.1    Recruitment .............................................................................................................. 4
1.2    Employment Designations .......................................................................................... 4
1.2A   Work Schedule ......................................................................................................... 5
1.3    Probation .................................................................................................................... 5
1.4    Reduction in Workforce .............................................................................................. 5
1.5    Resignations and Rehiring .......................................................................................... 5
1.6    Discipline Policy and Procedures .............................................................................. 6
1.7    Performance Evaluations ........................................................................................... 8
1.8    Grievance Procedure .................................................................................................. 8
1.9    Dress and Grooming ................................................................................................... 8

Chapter 2   Wages and Hours of Work
2.1    Classification System ............................................................................................... 10
2.2    Hours of Work and Rest Periods .............................................................................. 10
2.3    Wages and Salary ...................................................................................................... 10
2.4    Overtime Pay and Compensatory Time ................................................................. 10
2.5    Severance Pay ........................................................................................................... 11
2.6    Pay Days and Deductions .......................................................................................... 11
2.7    Timecards and Time Clock ........................................................................................ 12
2.8    Work Related Travel ............................................................................................... 12
2.9    Travel and Training Expense ................................................................................... 12
2.10   Emergency Closings ................................................................................................. 14
2.11   Inclement Weather ..................................................................................................... 14

Chapter 3   Benefits and Services
3.1    Vacations .................................................................................................................... 16
3.2    Holidays ...................................................................................................................... 17
3.3    Retirement ................................................................................................................... 18
3.4    Short Term and Long-Term Disability ....................................................................... 19
3.5    Life Insurance ............................................................................................................ 19
3.6    Health Benefits .......................................................................................................... 20
3.7    Worker's Compensation ............................................................................................ 20
## Chapter 3  Benefits and Services

<table>
<thead>
<tr>
<th>Section</th>
<th>Description</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>3.8</td>
<td>Training and Tuition Assistance</td>
<td>20</td>
</tr>
<tr>
<td>3.9</td>
<td>Sick Leave</td>
<td>21</td>
</tr>
<tr>
<td>3.9A</td>
<td>Attendance Incentive</td>
<td>22</td>
</tr>
<tr>
<td>3.10</td>
<td>Personal Leave</td>
<td>22</td>
</tr>
<tr>
<td>3.11</td>
<td>Leave for Military Reserve Training and Active Duty</td>
<td>22</td>
</tr>
<tr>
<td>3.12</td>
<td>Family Military Leave</td>
<td>22</td>
</tr>
<tr>
<td>3.13</td>
<td>Jury and Witness Duty Leave</td>
<td>23</td>
</tr>
<tr>
<td>3.14</td>
<td>Leave for Victims of Domestic Violence</td>
<td>23</td>
</tr>
<tr>
<td>3.15</td>
<td>Bereavement Leave</td>
<td>23</td>
</tr>
<tr>
<td>3.16</td>
<td>Family Medical Leave</td>
<td>24</td>
</tr>
</tbody>
</table>
CHAPTER 1 - EMPLOYMENT POLICIES

1.1 Recruitment
The City of Saco believes that hiring qualified individuals to fill positions contributes to the overall success of the City. All applicants must submit a written application form, a resume and a letter of intent to the Human Resources department. All permanent full and part-time applicants will need to satisfy a pre-employment physical examination if they have received a conditional offer of employment. Pre-employment drug urinalysis consent and testing is mandatory for all positions. All employees must submit to a background check prior to employment. All offers of employment are contingent on satisfactory results from required background checks and tests. See Department Specific Standard Operating Procedures (SOPs) for further requirements.

Current employees with a satisfactory employment status may apply for internal job openings. For non-union positions, the position will be posted internally for five (5) business days, followed by an external posting. Depending on circumstances, the City Administrator may waive the five (5) day internal posting and authorize a simultaneous posting of the position. The consent of the employee’s manager and the Human Resource department may be necessary for employees with less than one year of service with the City of Saco. Present employees will be given first consideration in filling a vacancy if they meet the required job qualifications and satisfactory work performance.

1.2 Employment Designations
A. Full-Time employment is the appointment of an employee to work thirty (30) hours or more per week and fifty-two (52) weeks per year in a budgeted position on a continuing and indefinite basis. They are eligible for the City’s benefit package, subject to the terms, conditions, and limitations of each benefit program starting on the first of the month following the hiring date.
B. Part-Time employment is appointment of an employee to work less than thirty (30) hours per week and more than twenty (20) hours per week and fifty-two (52) weeks per year, in a single budgeted position on a continuing and indefinite basis. Benefits eligibility will be on a pro-rated basis (holidays, bereavement, optical and dental, vacation, sick leave, and health insurance).
C. Full-Time Temporary employment is an appointment to a standard workweek (37.5 hours or 40 hours depending on the department), on a regular basis but for a definite limited time. Such employees are not eligible for benefits.
D. Part-time Temporary employment is an appointment to fill a temporary position of less than one year and works a standard workweek of less than 37.5 hours. Such employees are not eligible for benefits.
E. Temporary Seasonal employment is an appointment to perform services for an earned property tax credit. Such employees are not eligible for benefits.
F. *Seasonal* employment is an appointment to a position for which the customary employment is 6 months or less. Such employees are not eligible for benefits.

1.2A Work Schedule:
Non-union employees in City Hall work 37.5-hours on Monday through Thursday from 8:30 a.m. to 5:00 p.m. and on Fridays from 7:30 a.m. to 4:00 p.m. Department Directors and Deputy Directors outside of City Hall work a 40-hour work schedule. Work times vary for other non-union employees outside of City Hall. The start and end time is determined by the Director of the Department.

1.3 Probation
The probationary period for all employees will last for 6 months from the date of hire, except as otherwise provided by law. During the probationary period, the department director or designee shall conduct an evaluation after 3 months of employment and again after 6 months of employment. During this time, employees have the opportunity to evaluate our environment as a place of work and management has an opportunity to evaluate the employee. In the probationary period, both the employee and the employment relationship is terminable at will, either with or without cause and with or without notice, at any time during the employment relationship. The probationary period can be extended more than once at the City’s sole discretion and that it also becomes effective at the time of transfer, reassignment, or promotion. Employees successfully completing the probationary period will be considered regular full-time or regular part-time employees.

1.4 Reduction in Workforce
A reduction in force or layoff policy involves a decision to discontinue employment for a certain number of employees due to a loss of municipal revenues, reorganization of a City department, or lack of need for the work performed by a position or group of positions. Any contemplated reduction in force policy shall consider job performance and seniority of service in the current position.

A. A permanent full-time employee shall not be laid-off, if there is a vacant position in another department for which the employee is fully qualified. Each permanent full-time employee subject to layoff shall be given as much advance notice as circumstances permit.

B. Temporary employees may be laid-off at any time by the department head or City Administrator, without consideration of job performance or seniority.

1.5 Resignations and Rehiring
A. **Notice of Resignation:** An employee wishing to leave employment in good standing (defined as; having complied with all explicit obligations, while not being subject to any form of sanction, suspension, or disciplinary censure) shall submit a written resignation to the Human Resources Office as soon as possible, but at least fourteen (14) calendar days in advance of
the last day of actual work. Department Heads shall provide at least a 30-day written notice of resignation prior to the effective date stating the reasons for the resignation. The City Administrator and/or department head may permit a shorter period of notice if extenuating circumstances exist.

1. Upon separation, the City shall pay all wages owed as well as earned vacation pay. In addition, employees in good standing shall receive 35% of accumulated sick leave, provided that the employee has completed 10 years of consecutive full-time employment.

2. At retirement or separation after 20 years of consecutive full-time employment, an employee in good standing shall receive 50% of accumulated sick leave.

3. At retirement or separation after 30 years of consecutive, full-time employment with the City of Saco, an employee in good standing will be paid in an amount equal to wages for 70% of the accrued sick leave on the date of separation.

4. If an employee passes away while in employment with the City, their significant other (defined under state statute) is entitled to wages in an amount equal to 100% of the accumulated unused sick days of the deceased employee.

B. Rehiring: Any City employee resigning from the City in good standing may make application for employment as positions within the City become available. Each former employee, however, must meet all of the qualifications set forth for the particular vacancy prior to filing an application. A rehired employee shall not be entitled to any benefits or accruals from their previous service and shall be subject to a stipulated probationary period of six months.

1.6 Discipline Policy and Procedures

A. Disciplinary Action
Disciplinary action may be imposed upon a City employee for failing to fulfill their responsibilities as an employee. Whenever work habits, attitude, production, or personal conduct falls below a desirable standard, the City Administrator or their designee shall begin the proper disciplinary steps to correct the individual behavior of the employee. The City reserves the right to bypass any of the steps and proceed immediately to greater discipline, corrective action, or dismissal, depending on the attendant circumstances.

B. Work Rule Violations and Prohibited Acts
Prohibited acts are actions, which may occur separately from any other work rule violation, are deemed serious in nature, and are subject to progressive discipline. Examples illustrative in nature and not limited to such prohibited acts are:

- Gross neglect of duties.
• Insubordination.
• Arrest or conviction of a felony.
• Working under the influence of drugs or intoxicants/alcohol (drinking on the job).
• Endangering the safety of employees.
• Inducing others to commit unlawful acts.
• Falsifying City records.
• Receiving payments for unauthorized work.
• Stealing City equipment or property.
• Acting as a contributing factor to the cause of an accident involving City vehicles, major equipment or other property damage.
• Acting as a contributing factor to causing negligent injury to coworkers.

This list is not meant to be all-inclusive but is designed to provide employees with examples of behavior that may result in disciplinary procedures leading to the termination of employment.

C. **Progressive disciplinary action** shall include oral reprimand, written reprimand, suspension, and discharge upon a work rule violation or other employee misconduct. Generally, the four steps will consist of the following actions:

1. **Oral reprimand.** An oral warning to erring employees that their conduct or behavior is unacceptable and that further infractions will lead to more severe penalties. The supervisor who gives the reprimand will document the oral reprimand and said documentation shall become a part of the employee’s personnel file for one year.

2. **Written reprimand.** A written reprimand, usually after a previous oral reprimand, regarding work rules, conduct or performance. The report will become a part of the employee’s personnel file for two years.

3. **Disciplinary suspensions.** An ordered absence from duty, without pay, for a full workweek or some multiple of a workweek due to repeated violations of minor misconduct or for a single serious incident or offense, or an ordered absence from duty without pay of less than a full workweek for a violation of safety rules of major significance. A record of the suspension will be signed by the employee and retained permanently in the employee’s personnel file.

4. **Dismissal.** A last resort action for an employee who fails to improve their conduct or performance after imposition of progressive disciplinary actions or for single unlawful acts, which result in termination of employment.

1.7 **Performance Evaluations**
A. The City Administrator or their designee shall be responsible for the development and implementation of an employee evaluation system. The employee evaluation shall apply to all non-union employees.

B. The City Administrator shall conduct an annual employee evaluation of each department director and of staff within Administration. Each director shall, in conjunction with the City Administrator, conduct annual employee evaluations of each full-time employee in their department through the development of a department level policy. Once completed, the evaluation form shall be signed by the evaluated employee and shall be filed in the employee's Human Resources personnel record as a permanent document.

1.8 Grievance

A. Grievance Procedure for Non-Union Employees
1. Any employee aggrieved due to some condition of their employment may appeal within seven days, by giving written notice of the grievance to their immediate supervisor.
2. The employee’s department director shall rule on the grievance within seven days after the notification and shall notify the employee of their ruling in writing.
3. The director will send a copy of the grievance and their ruling to the City Administrator or their designee, whom shall require the grievance to be submitted in writing.
4. The City Administrator or their designee shall give written reply within two weeks.
5. The decision of the Administrator or their designee shall be final, unless the grievance involves a policy matter, which must be determined by the City Council.

1.9 Dress and Grooming
All City of Saco staff members are expected to present a professional, businesslike image to clients, visitors, customers and the public. Acceptable personal appearance, like proper maintenance of work areas, is an ongoing requirement of employment with City of Saco.

Supervisors should communicate any department-specific workplace attire and grooming guidelines to staff members during new-hire orientation and evaluation periods. Any questions about the department’s guidelines for attire should be discussed with the immediate supervisor.

Any staff member who does not meet the attire or grooming standards set by his or her department will be subject to corrective action and may be asked to leave the premises to change clothing. Hourly paid staff members will not be compensated for any work time missed because of failure to comply with designated workplace attire and grooming standards.

All staff members must carry or wear the City of Saco identification badge at all times while at work.

A. Casual or Dress Down Days
Departments that adopt casual or dress-down days must use the following guidelines to define appropriate casual attire. On these occasions, staff members are still expected to present a neat appearance and are not permitted to wear ripped, frayed or disheveled clothing or athletic wear. Likewise, tight, revealing or otherwise workplace-inappropriate dress is not permitted.

<table>
<thead>
<tr>
<th></th>
<th>Appropriate</th>
<th>Inappropriate</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Slacks</strong></td>
<td>• Khakis or corduroys</td>
<td>• Sweatpants, leggings, exercise wear</td>
</tr>
<tr>
<td></td>
<td>• Jeans (must be clean and free of rips, tears and fraying; may not be excessively tight or revealing)</td>
<td>• Shorts, low-rise or hip-hugger pants or jeans</td>
</tr>
<tr>
<td></td>
<td>• Skorts, capris</td>
<td></td>
</tr>
<tr>
<td><strong>Shirts</strong></td>
<td>• Polo collar knit or golf shirts</td>
<td>• Shirts with writing (other than company logo)</td>
</tr>
<tr>
<td></td>
<td>• Oxford shirts</td>
<td>• T-shirts or sweatshirts</td>
</tr>
<tr>
<td></td>
<td>• Company logo wear</td>
<td>• Beachwear</td>
</tr>
<tr>
<td></td>
<td>• Short-sleeved blouses or shirts</td>
<td>• Sleeveless blouses or shirts</td>
</tr>
<tr>
<td></td>
<td>• Turtlenecks</td>
<td>• Exercise wear</td>
</tr>
<tr>
<td></td>
<td>• Blazers or sport coats</td>
<td>• Crop tops, clothing showing midriffs, spaghetti straps</td>
</tr>
<tr>
<td></td>
<td>• Jackets or sweaters</td>
<td></td>
</tr>
<tr>
<td><strong>Shoes</strong></td>
<td>• Boating or deck shoes, moccasins</td>
<td>• Sandals, thongs, flip-flops, open-toe shoes</td>
</tr>
<tr>
<td></td>
<td>• Casual, low-heel, open-back shoes (e.g., mules, sling backs)</td>
<td>• Athletic shoes, tennis shoes, Croc-like sandals</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
CHAPTER 2 - WAGES AND HOURS OF WORK

2.1 Classification System
The City Administrator may develop a system for classifying non-union positions within the City, including pay ranges for those positions. Classification systems and pay ranges are subject to change at any time. The establishment of pay ranges or grades for any position does not guarantee the occupant of that position any particular rate of pay.

Employee classification relates to work schedules and eligibility for benefits. See Section 2.1 Employment Status for a full description of the following employee classifications: 1) Full-time Employment, 2) Part-time Employment, 3) Full-time Temporary Employment, 4) Part-time Temporary Employment and, 5) Temporary Seasonal and 6) Seasonal.

2.2 Hours of Work and Rest Periods
   A. There shall be variations in the hours worked each week by positions of the same class in different departments. The Department Head, with approval from the City Administrator shall establish regular hours for any department.
   B. All full-time employees are entitled to two (2) fifteen-minute (15) rest periods at approximately the midpoint of each half (four hours) of their daily work schedule. Breaks shall not exceed fifteen (15) minutes, including time taken to travel from and back to the employee’s workstation. Employees are encouraged to take breaks away from the public workspaces and to use the rest areas provided by the City.

2.3 Wages and Salary
Hiring salary or hourly wage for non-union positions is determined by the requirements of the specific job, market value, as well as skills and experience.

2.4 Overtime Pay and Compensatory Time
Exempt/Salaried personnel are required to perform the duties of their positions without reference to hours worked and are not eligible for overtime pay. Full-time employees who are paid hourly (nonexempt) are eligible for overtime in accordance with the Fair Labor Standards Act (FLSA). Hourly employees, who are authorized by their supervisor to work more than the established workweek, will be paid at a rate of one and half times the employees’ regular hourly rate.

An employee may be granted personal (compensatory time) time off as compensation for extra hours worked. Compensatory time shall be computed as equal to the extra hours worked and must be taken within 30 days.
Salaried personnel may be eligible for compensatory time when asked by the City Administrator to support activities or projects outside the standard job requirements of the individual position. All compensatory time shall have prior written approval of the Department Director.

2.5 Severance Pay
Upon separation in good standing from the City, an employee with 10 years of consecutive full-time employment, will receive, as separation pay, 35% of their accumulated sick leave. At retirement or separation, after 20 years of consecutive full-time employment, an employee in good standing shall receive 50% of their accumulated sick leave. At retirement or separation after 30 years of consecutive, full-time employment with the City of Saco, an employee in good standing will be paid in an amount equal to wages for 70% of the accrued sick leave on the date of separation. When an employee dies, the widow or guardian of minors, if no widow, is entitled to wages in an amount equal to 100% of the accumulated unused sick days of the deceased employee.

2.6 Pay Days and Deductions
The City pays employees on a bi-weekly basis for the previous two (2) weeks of work. Paydays are on every other Friday, with paychecks and direct deposits commencing on said day. Deductions from employees’ pay will include all mandatory deductions (such as Social Security, Medicare, Federal and State taxes), as well as deductions for any elective benefits employees have selected. The City may also deduct from employees’ pay the employees’ share of any premiums or plan contributions for insurance, retirement, and similar plans that are elected by the employee. The City may make other deductions as required by law or court order.

Employees should examine their paychecks/pay stubs immediately to ensure they have been properly paid for all hours and that no improper deductions have been made. Any payment errors must be reported to the Human Resources department.

A. Overpayment of Employee Wages: Maine Legislature Statutes; Chapter 7, Title 26 Contents, 635. Overcompensation by Employer. Should the City have overcompensated an employee through employer error the City may not withhold more than 10% of the net amount of any subsequent pay without the employee’s written permission, except that, if the employee voluntarily terminates employment, the City may deduct the full amount of compensation for any wages due.

B. Net Amount: The amount of money due to an employee as compensation after any deductions or withholdings other than an employers’ withholding for recovering any overcompensation.

C. Overcompensation: Any compensation paid to an employee that is greater than that to which the employee is entitled under the compensation system established by the City, but does not
include fringe benefits, awards, bonuses, settlements or insurance proceeds in respect to or in lieu of compensation, or expense reimbursements.

2.7 Timecards and Time Clock
Accurately recording time worked is the responsibility of all hourly employees. Time worked is the time actually spent on a job performing assigned duties and is recorded via the time clock or a timecard. The timecard/clock is a legal instrument. Altering, falsifying, tampering with timecards, failing to record time, or recording time on another team member’s timecard may result in disciplinary action, including termination of employment. Salaried employees must also complete a weekly time record, for the purposes of tracking use of leave and other absences, as well as trainings.

2.8 Work Related Travel
Employees required to travel on business for the City are paid a sufficient amount to cover expenses accrued in a reasonable manner. City Employees on official business, out of town for the City, with prior approval of the City Administrator or their designee, shall be paid at the amounts set by the City’s Reimbursement Policy for meals and lodging and shall be paid the IRS rate per mile if using personal vehicles. Receipts are required for all travel expenditures and must be submitted upon the employees return and within five (5) workdays.

Employees will be paid by an approved appropriation in a departmental budget. The appropriation will be in the best interest of the City and will be approved by the department director. Travel will be accomplished at the least cost to the City.

2.9 Travel and Training Expense
A. The Portal-To-Portal Act, an amendment to the Fair Labor Standard Act (FLSA) clarifies travel reimbursements:

1. **Travel to and from an employee’s residence:** Employers do not need to compensate for time spent traveling from the employee’s resident to their workplace before the start of the workday or traveling from their workplace to their homes after the workday is over. An exception to this, is if the employee is called back to the worksite. These hours may be counted as hours worked.

2. **Travel from one workplace to another during the same day:** The City is required to continue to compensate all employees whom travel from one workplace to another location during the same workday as hours worked.

3. **Travel to a Training:** When employees are required to go to a training during their normal work hours; the driver and the passengers are paid for hours worked. If the
travel is not during the normal hours, and no one in the car is working; then the only one who is compensated is the driver.

4. **Travel to another city on one-day assignments:** The City must compensate an employee for time spent traveling to and from another city in the same day.

5. **Travel that keeps employees away from home overnight:** When employees are required to travel from their home and that travel spans more than one workday, an employer must include in hours worked the time actually spent traveling, e.g., in a car or on an airplane or train, only if it occurs during the employee’s normal work hours.

*Example:* If an employee normally works from 8:00 a.m. and after 5:00 p.m. the City is only required to include time spent traveling during that period as hours worked. Time spent traveling before 8:00 a.m. and after 5:00 p.m. would not need to be included.

*Example:* If an employee normally works Monday through Friday from 8:00 a.m. to 5:00 p.m. and the employee is traveling on a Saturday, the City is required to count as hours worked for the time spent traveling by the employee between 8:00 a.m. and 5:00 p.m. on that Saturday.

*Example:* If an employee actually performs work on a non-workday while they are traveling, the City counts that time as hours worked regardless of what time the work is performed.

6. **Training:** The City compensates all non-exempt employees for the time they spend in training. In order for training time to be considered unpaid, the training must meet ALL of the four criteria:

- Attendance is outside of the employee’s regular work hours;
- Attendance is voluntary;
- The course, lecture, or meeting is not directly related to the employee’s current position; and;
- The employee does not perform any productive working during such attendance.

Under the FLSA regulations, training is considered directly related to the employee’s job if it is designed to help the employee handle their current job more effectively as distinguished from training the employee for another job or higher position.

7. **Travel or Training and Pet Boarding:** The City does not compensate an employee for boarding their pet while they are on a required training.
2.10 Emergency Closings

The City of Saco will always make every attempt to have all offices open to serve the needs of the public. In situations in which some employees are concerned about their safety, the City administrator may advise supervisors to notify their departments that City Hall offices are not officially closed, but anyone may choose to leave the office if he or she feels uncomfortable.

If City Hall is officially closed during the course of the day to permit employees to leave early, nonexempt employees who are working on-site as of the time of the closing will be paid for a full day. If employees leave earlier than the official closing time, they will be paid only for actual hours worked, or can take PTO time. Exempt employees will be paid for a normal full day but are expected to complete their work at another time.

2.11 Inclement Weather

The City of Saco will generally follow the operating status of the federal government during inclement weather. When the federal government announces that a liberal leave policy is in effect, the City hall will be open, and all employees will be expected to make reasonable efforts to get to work. Employees unable to arrive for work due to inclement weather will be charged one (1) day of vacation. If no vacation time is available, nonexempt employees will not be paid for the day. All employees who are unable to report to work should call their department supervisor and report their absence 30 minutes prior to the start of their workday.

If inclement weather occurs on a federal holiday not generally observed by the City of Saco, management will make its own decision concerning early closing on that day and communicate this to employees by email and phone.

On days when weather conditions worsen as the day progresses, the City Administrator may decide to close City Hall early. Employees will be expected to remain at work until the appointed closing time, unless their flextime day ends prior to that time, or unless they receive permission from their department head to do otherwise. Time absent from work due to inclement weather is not counted as hours worked when computing weekly overtime.

It is the policy of the City to remain open during most periods of inclement weather; however, where extraordinary circumstances warrant, the City reserves the right to close City Hall. Thus, employees are encouraged to listen to radio/TV broadcasts during periods of adverse weather to find out if City Hall is open or closed.
CHAPTER 3 - BENEFITS AND SERVICES

3.1 Vacations

A. Except for those employees who are discharged, dismissed following an absence without leave, or otherwise terminated for cause, the City shall grant vacation to its employees. Employees covered by this personnel policy shall be entitled to accumulate vacation time in accordance with the following schedule. The City Administrator shall have the authority to negotiate higher vacation accrual rates for individuals that recognizes previous non-City of Saco years of experience and education.

<table>
<thead>
<tr>
<th>Years of Continuance Service (begin accruing)</th>
<th>Maximum Annual Vacation Hours Accumulation</th>
<th>Maximum Annual Vacation Days Accumulation</th>
<th>Hours of Vacation Accrued Per Bi-weekly Pay Period</th>
</tr>
</thead>
<tbody>
<tr>
<td>Date of hire to the start of the 5th year</td>
<td>75 hours (75-hour pay period) 80 hours (80-hour pay period)</td>
<td>10 Days</td>
<td>2.88 (75-hour pay period) 3.08 (80-hour pay period)</td>
</tr>
<tr>
<td>Beginning 5th year to the start of the 10th year</td>
<td>112.50 hours (75-hour pay period) 120 hours (80-hour pay period)</td>
<td>15 Days</td>
<td>4.33 (75-hour pay period) 4.62 (80-hour pay period)</td>
</tr>
<tr>
<td>Beginning 10th year to the start of the 25th year</td>
<td>150 hours (75-hour pay period) 160 hours (80-hour pay period)</td>
<td>20 Days</td>
<td>5.77 (75-hour pay period) 6.15 (80-hour pay period)</td>
</tr>
<tr>
<td>Beginning the 25th year to retirement</td>
<td>187.5 hours (75-hour pay period) 200 hours (80-hour pay period)</td>
<td>25 Days</td>
<td>7.21 (75-hour pay period) 7.69 (80-hour pay period)</td>
</tr>
</tbody>
</table>

B. Vacation time shall accrue biweekly at the rate established in the table.

C. Vacations shall be scheduled at a time mutually agreed upon between the employee and the appropriate department head or the employee and the City Administrator. The City Administrator or their designee shall approve vacation time for department heads. Employees under probation shall not be granted vacation leave during the six-month probationary period. Unless otherwise
negotiated with the administrator at the time of hire nor paid if termination occurs within the probationary period.

D. If a holiday falls within an employee's vacation period, the employee shall not have that day charged against their accumulated vacation days.

E. Any absence from duty from which sick leave is paid or for official leaves of absence, of 90 days or less, shall not constitute a break in service record for vacation accrual purposes.

F. No employee shall be entitled to work their vacation with pay, except in cases of extreme emergency conditions and with the expressed permission of the City Administrator.

G. The employee shall not have more vacation time on the books than what is specified on the schedule above on their anniversary date.

H. Employees who have completed 25 years of service will receive an additional one-week vacation in recognition to their service to the City of Saco. The employee will continue to accrue this additional week until retirement or resignation.

I. Accrued vacation leave shall be paid to an employee in good standing upon their separation from the service or to their beneficiary or estate upon their death.

J. Regular part-time employees who work more than 20 hours per week will accrue vacation time at the rate of 1.62 hours per pay period.

3.2 Holidays

The City of Saco observes the following paid holidays, unless otherwise specified in the employee’s union contract.

1. New Year’s Day
2. Martin Luther King Day
3. President’s Day
4. Patriot’s Day
5. Memorial Day
6. Independence Day
7. Labor Day
8. Indigenous Peoples Day
9. Veteran’s Day
10. Thanksgiving Day
11. Day after Thanksgiving
12. Christmas Day
13. ½ Day Christmas Eve
14. ½ Day New Year’s Eve
Holidays are to be observed on the day of legal observance. If any of the holidays fall on a Sunday, the following Monday shall be the observed holiday; if it falls on a Saturday, the preceding Friday shall be the observed holiday.

All regular full-time employees are to be paid either 7.5 or 8 hours for a holiday according to their regular work schedule (37.5 or 40 Hours per week) and 3.75/4 hours for a ½-day holiday. Regular part time employees, whose normal workweek is at least twenty (20) hours per week, shall be paid a prorated amount based on the number of hours regularly worked for a full holiday and half of that amount for a ½-day Holiday.

Because of the nature of the position, certain employees are required to work during a holiday. These employees will receive holiday pay in addition to regular wages for time worked.

3.3 Retirement
All full-time employees are able to participate in the Maine Public Employees Retirement Services (MainePERS) or the City's own retirement programs; the Empower 457 Deferred Compensation Program, the ICMA 457 Deferred Compensation Retirement Plan or the ICMA 401(a) Retirement Plan, as provided by State statute and State Retirement and/or adopted by the City Council. The City shall contribute to only one of the above at a level commensurate with union contracts and equal to 5% of the employee's gross wages ("gross wages" are defined by Internal Revenue Service Publication 525. The definition reads as follows, "Gross wages is everything received in payment for services including wages, salaries, commissions, fees and other forms of compensation such as overtime, bonuses and fringe benefits.") However, if the employee chooses the Maine Public Employees Retirement Services (MainePERS), the City shall contribute the applicable percentage established by the Maine Public Employees Retirement Services (MainePERS) on an annual basis. Employees are able to select from the following plans:

A. Maine Public Employees Retirement Services (Maine PERS). Participants of Maine PERS and future new enrollees may also contribute to the 457 plans noted below but not to the 401(a) plan. However, no employer contributions are to be made to this additional retirement plan.

B. International City Manager's Association - Retirement Corporation (ICMA RC). All full-time eligible employees are offered the option of participating in the 401(a) Qualified Retirement Plan with ICMA. If an employee chooses to participate in this plan, the City's contribution of 5% shall be contributed to this plan. The employee shall make a mandatory contribution of 5% of their gross wages.

C. Empower Deferred Compensation Plan. All full-time eligible employees are offered the option of participating in the 457B Deferred Compensation Plan with Empower. If an employee
chooses to participate in said plan, the City shall contribute 5% of the employee's gross wages and the employee can contribute an additional amount as allowed by federal regulation.

D. International City Manager's Association - Retirement Corporation (ICMA RC) 457 Plan. All full-time eligible employees are offered the option of participating in the 457 Retirement Plan. The employee has the option to have the City contribute its 5% of their gross wages and/or the employee can also contribute an additional amount as allowed by federal regulation.

Enrollment requirements, mandatory employee contribution [for the Maine Public Employees Retirement Services (MainePERS) and the ICMA 401(a) Retirement Plan], City contribution and benefit provisions shall be determined by state statute and/or City Council action.

3.4 Short Term and Long-Term Disability

An employee’s sick leave and vacation time can be used in conjunction with the income protection insurance to ensure continued compensation or the employee must otherwise cover their other benefit expenses when out on disability. For short-term disability, the City’s Income Protection Vendor covers 66 2/3% of the weekly gross salary. The remaining 33 1/3% is reimbursed by the employee’s accrued sick time first and then accrued vacation time if the employee chooses to make their check whole for each week. Any employees who do not have enough vacation or sick time to support employee portions of elected benefits MUST pay their portion prior to the start date of the disability. If payment is not made, the City may stop coverage until the payment is made.

For long-term disability, the City’s Income Protection Vendor covers a percentage 60% of the weekly gross salary. The remaining 40% is reimbursed by the employee’s accrued sick time first and then accrued vacation time if the employee chooses to make their check whole for each week. The City of Saco provides all full-time employees working a minimum of 30 hours or more per week long-term disability benefits. The benefit pays a maximum of $1,000 or 60% of an employee’s monthly salary. Employees can buy additional long-term disability coverage during open enrollment or as a new hire. Employees may purchase additional long-term disability insurance. The monthly benefit cannot exceed $6,000. Example: Annual salary of $60,000/12 x 60% = Monthly benefit $3,000. Except for unforeseen circumstances, such as an emergency, prior to going out on any disability, employees will meet with Human Resources to understand their benefit deductions and payment plan.

3.5 Life Insurance

A. All full-time employees of the City are eligible for basic life insurance, as provided by state statute and accepted by the City Council. Such coverage will be automatic, unless specifically refused, in writing, by the employee. If an employee does not participate in the City’s health
coverage, they are not covered under the City’s Life Insurance policy. However, the employee is eligible to purchase life insurance at a nominal fee.

B. In the event of the death of a full-time nonunion employee, life insurance benefits shall be equal to the employee's annual salary, and it shall be the responsibility of the Personnel Officer to make new employees aware of all options available to them.

3.6 Health Benefits
A. The City will provide a Maine Municipal Association (MMA) group insurance plan, which provides Maine Municipal Employees' Health Trust medical coverage and, in addition, major medical coverage. The City's MMA Employees' Health Trust coverage and level of service shall be established by the City Council. Currently this is an 80% employer/20% employee share.

B. Full-time and part-time employees and their families are eligible to participate. An employee must apply for coverage and coverage is not automatic. A new employee becomes eligible after a thirty-day waiting period.

C. The Maine Municipal Employees' Health Trust coverage shall be determined by the City Council. The employee will pay any difference.

D. Any employee who does not elect to receive health insurance benefits and can demonstrate that they have insurance coverage, shall be eligible to receive $1,950 of the savings realized by the City each year.

E. Vision and Dental Insurance – The city provides up to $325 annually towards coverage for vision and dental. The employee will be responsible for any amount above this amount. If the employee is covered by their spouse, the employee with receive a $325 reimbursement annually. (prorated for part-time employees).

3.7 Worker's Compensation
The City of Saco shall provide Workers’ Compensation coverage to its employees.

3.8 Training and Tuition Assistance
The City of Saco recognizes and encourages professional development and personal growth for employees. Both the City and its employees profit from the provision of educational training opportunities at reasonable expense to the City. Training programs shall be designed to improve the quality of performance and bring about more efficient or more economical operation. Employees will have to receive approval for training programs in advance from the City Administrator or department director, if attendance during normal working hours or reimbursement of tuition and/or expenses is expected.
The City will reimburse the employee at the time of submitting a passing grade of B or better half of the tuition expense. The City does not reimburse the employee for any additional expenses; such as: books, computer software, computers, etc.

3.9 Sick Leave

A. Regular full-time employees are entitled to sick leave at an accrual rate of 3.69 hours per pay period for each bi-weekly pay period worked. Sick leave may be accumulated not to exceed 900 hours for full-time employees with a seven-and-one-half-hour work day and 960 hours for full-time employees who work an eight-hour work day. for full time employees. Regular part-time employees, who work at least 20 hours per week, are entitled to 1.94 hours per pay period of sick leave. If the employee is on sick leave, credit will still accrue. Cumulative sick leave hours are computed from the original date of employment. Probationary employees may not use accrued sick leave without their department director’s approval.

B. Illness for which sick leave may be granted is defined as actual personal illness or bodily injury. Regular full-time employees who work a seven- and one-half hour day may use up to 37.5 hours and those who work an eight-hour day may use up to 40 hours per year to care for ill family members to be deducted from the employee’s accrued sick leave. Employees who work a seven-and one-half hour day may have an additional 37.5 hours and employees who work an eight-hour day may have 40 additional hours of family leave, which will remain in effect unchanged for the duration of the contract. Approvals may be made at the discretion of the department director and City administrator.

C. Any absence (except as covered elsewhere in the regulations) of three days or longer for illness requires a doctor’s certificate before returning to work. In addition, another examination, by a doctor of the City’s choosing, and at the City’s expense, may be required.

D. At any time, the department director may request that a qualified physician designated by the City, certify the condition of the employee, to justify the continued absence from employment, as a condition precedent to the continuance of sick pay.

E. When an employee is absent due to any injury compensable under the Workers’ Compensation Act, payment to the employee under any insured disability plan of the City or insured medical payment plans of the City shall comply with 39-A M.R.S.A. § 222. An employee so injured is entitled to use up to a maximum of 22 earned and accumulated sick days, when no payments are available under any insured disability plan, prior to receiving their first check for incapacity payments under 39-A M.R.S.A. § 201.

F. When an employee is absent due to any injury not compensable under the Workers’ Compensation Act, the employee is entitled to use accumulated sick days and vacation time prior to receiving payments under the short-term disability plan. While receiving payments from the
disability plan, the employee shall continue to earn and accumulate sick leave and other leave benefits until that employee is separated from employment with the City.

3.9A Attendance Incentive
The City shall pay all full-time employees an incentive of 7.5 for 37.5-hour employees or 8 hours of pay to 40-hour employees who use sixteen (16) hours or fewer of sick leave in two consecutive six-month periods. This benefit would accrue on the anniversary date of the employees hire. Employees may deposit the incentive into the ICMA-RHS account after completing the RHS application. Sick hours to be used for worker's compensation cannot be counted as sick days for the purpose of honoring this bonus day.

3.10 Personal Leave
An employee may elect to utilize 15 hours for a seven-and-one-half-hour employee and 16 hours for an eight-hour employee of accrued sick time per year as personal days. Personal leave is pro-rated for part time employees. In the event that an employee utilizes more than 15 hours for a seven-and-one-half-hour employee and 16 hours for an eight-hour employee of accrued sick time or any combination of sick or personal leave in a six-month period, the employee shall forfeit their bonus pay or earned day off.

3.11 Leave for Military Reserve Training and Active Duty
In accordance with state and federal law, all employees who have completed probation will be granted service leave, in addition to vacation leave, of at most, two weeks in any calendar year. For any period of service leave, the City will pay the employee the balance between service pay and the employee’s regular compensation. The total of both will equal the regular pay of the employee that is disbursed in service of the City during the period of leave; the employee on service leave must furnish their department director an official wage statement by military authorities giving their rank, pay and allowances. It is the responsibility of the department director to contact the payroll specialist to make appropriate wage adjustments.

A. Upon approval by the City Administrator, an employee may be granted time off, with pay, if required to appear before a draft board or at the direction of such board.
B. The City Administrator may grant a leave, without pay, to an employee called to military duty for purposes other than annual routine training.
C. As used in this section, "Military" means the United States Air Force, the United States Army, the United States Navy, the United States Marine Corps, the United States Coast Guard, the Maine National Guard, the Maine Air National Guard and any and all components.

3.12 Family Military Leave
In accordance with Maine Law Title 26, Chapter 7, Subchapter 5, §814, Family Military Leave is available to:

- City employees that have been employed for at least twelve (12) months, and
• have worked at least 1,250 hours during the prior twelve (12) months, and
• who have a spouse, domestic partner or child who is a resident of the State and is deployed for military service for a period lasting longer than 180 days, are entitled to up to fifteen (15) days of family military leave per deployment.

3.13 Jury and Witness Duty Leave
Any permanent employee called for jury duty or subpoenaed by a legislative, judicial or administrative tribunal, shall be allowed time away from work with pay for such purposes. Upon receiving the sum paid for jury services or witness fee, the employee shall submit the warrant, or its equivalent to the payroll specialist for wage adjustments.

3.14 Leave for Victims of Domestic Violence
The City will grant reasonable and necessary paid or unpaid leave from work for eligible regular full-time and part-time employees who are victims of domestic violence, stalking, or sexual assault as provided for in State Law Title 26 M.R.S.A. Sec. 850 (Employment Leave for Victims of Violence):

Leave will be granted for an employee to:
A. Prepare for and attend court proceedings; Receive medical treatment or attend to medical treatment for a victim who is the employee’s daughter, son, parent or spouse; or
B. Obtain necessary services to remedy a crisis caused by domestic violence, sexual assault or stalking.

The leave must be needed because the employee or the employee’s daughter, son, parent or spouse is a victim of violence, assault, sexual assaults under Title 17-A, chapter 11, stalking or any act that would support an order for protection under Title 19-A, chapter 101. Employees will accrue vacation and sick leave benefits during such leave. As soon as an employee becomes aware of the need of a leave of absence, they must make a written request for leave from their supervisor. This request must be forwarded to the City Administrator or their designee for approval as soon as possible. The request must specify the length of leave requested, the reason for the leave, and estimated dates of departure and return. Employees utilizing such leave are required to use any banked and accrued vacation, sick and/or compensation time during such period(s). Employees who have who have no such leave banked and accrued shall receive unpaid leave.

3.15 Bereavement Leave
A. Family death. In the event of the death of an employee's spouse, legally recognized partner, children, mother and father, the employee shall be granted five days' leave of absence, with full pay, to make household arrangements.
B. In the event of the death of an employee's sister, brother, stepparents, stepchildren, grandmother, grandfather, spouse's grandparents, grandchildren, father-in-law, mother-in-law, sister-in-law or brother-in-law, the employee shall be granted up to three days' leave of absence, with full pay, to make household adjustments and arrange for or attend the funeral services. This provision shall also apply to out-of-town deaths. The employee may be required to furnish their immediate supervisor with proof of death.

C. For relatives other than those mentioned above, such as aunt, uncle, niece, nephew or first cousin, one day's leave, with pay, to attend the funeral will be granted. The City Administrator may grant additional leave under this subsection in unusual or exceptional circumstances.

3.16 Family Medical Leave

The City of Saco provides family medical leave in accordance with the Federal and Maine Family Medical Leave Acts. The policy below sets out the rights and obligations of employees and the City. Additional information on FMLA leave may be obtained by contacting the Human Resources Department and by referring to the FMLA notice posted on the official bulletin board at each department.

A. Federal FMLA

Employees who have worked for the City of Saco for at least twelve (12) months and at least 1,250 hours during their prior twelve (12) months with the City 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.

In addition, employees who have worked for the City 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.

B. Maine FMLA
Employees who have worked for the City of Saco for 12 months but for less than 1,250 hours during the past year and 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 rolling 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 January 1, 2019, four weeks of leave beginning June 1, 2019, and four weeks of leave beginning November 1, 2019, the employee would not be entitled to any additional leave until January 1, 2020. On January 1, 2020, the employee would be entitled to four weeks of leave, and on June 1, 2020, 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 City agree. If both spouses are employed by the City, the combined leave 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 or 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
• Pre-natal 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 City 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. The City is not required, however, to create an alternate or “light duty” position for the employee. The City may request any employee using intermittent FMLA leave to provide recertification for the need for such leave from their health care provider every six (6) months.

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 must use available vacation and personal time. The remainder of the FMLA leave will be unpaid. An employee on a FMLA leave may be eligible for benefits under the City’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 City 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 City, 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 City, 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 an employee's own serious health condition must be supported by certification from a health care provider. The employee must provide a copy of the certification to the City 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 City 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 City 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 will not accrue vacation pay or sick pay. Vacation or sick leave benefits accrued by the employee up to the day on which the family leave of absence begins will not be lost.

The City may require an employee on FMLA leave to report periodically on their 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 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 or the Director of Human Resources. 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 Director of Human Resources or designee. Appropriate forms must be submitted to the City to initiate a family leave and to return the employee to active status. The City may provisionally designate leave as FMLA leave based upon information it receives from the employee, their health care provider, or from Worker’s Compensation.

Each employee taking leave that meets the requirements for FMLA leave will be provided the "Response to Your Request for Leave" form. Other forms and further information relating to FMLA leave may be obtained from the Human Resources office.