

Town of Skowhegan

Personnel Policy

Revised: October 10, 2017

**TOWN OF SKOWHEGAN
PERSONNEL POLICY**

TABLE OF CONTENTS

ARTICLE I – PREAMBLE	1
ARTICLE II – EMPLOYMENT	1
ARTICLE III – EQUAL OPPORTUNITY EMPLOYER.....	2
ARTICLE IV – TYPES OF EMPLOYMENT	2
ARTICLE V – EMPLOYEES CONDUCT	2
ARTICLE VI – WORK WEEK/OVERTIME.....	2
ARTICLE VII – ATTENDANCE	2
ARTICLE VIII – HOLIDAYS	3
ARTICLE IX – VACATION.....	3
ARTICLE X – LEAVES OF ABSENCE	4
ARTICLE XI – SICK LEAVE	5
ARTICLE XII – SICK LEAVE DONATION.....	6
ARTICLE XIII – TOWN INSURANCES.....	7
ARTICLE XIV – REIMBURSEMENT OF EXPENSES	8
ARTICLE XV – RETIREMENT.....	8
ARTICLE XVI – GRIEVANCE PROCEDURES	9
ARTICLE XVII – RESIGNATION	10
ARTICLE XVIII – POLICY OF HARRASSMENT.....	10
ARTICLE XIX – SMOKING POLICY	10
ARTICLE XX – DISCIPLINARY ACTION.....	10
APPENDIX 1 – EMPLOYEE CONDUCT	12
APPENDIX 2 – DRUG AND ALCOHOL PREVENTION POLICY	14

APPENDIX 3 – SOLICITATION AND DISTRIBUTION	19
APPENDIX 4 – FAMILY MEDICAL LEAVE (FMLA) LEAVE OF ABSENCE.....	20
APPENDIX 5 – POLICY PROHIBITING SEXUAL HARASSMENT	23
APPENDIX 6 – ELECTRONIC, COMMUNICATION, AND COMPUTER EQUIPMENT AND SYSTEMS.....	25
APPENDIX 7 – SAFETY POLICY	27
APPENDIX 8 – MUNICIPAL VEHICLE USE POLICY	29
APPENDIX 9 – FRAUD POLICY.....	32

**TOWN OF SKOWHEGAN
225 WATER ST
SKOWHEGAN, MAINE
04976**

PERSONNEL POLICY

ARTICLE I - PREAMBLE

- A. The Board of Selectmen hereby adopts the following policy for utilization by the Town of Skowhegan in the administration of the personnel activities of the employees of the Town of Skowhegan. These rules and subsequent modifications shall supersede any policy and rules made previously by the Board of Selectmen.
- B. The Board of Selectmen may delete, amend, modify or change any or all of the provisions contained in this Policy without prior notice. The provisions set forth are not contractual, but rather are for the general guidance of the Town in its relationship with its employees.

ARTICLE II – EMPLOYMENT

- A. The employment of all personnel shall be the responsibility of the Town Manager.
- B. All applicants must submit a written application and/or resume for employment.
- C. All employees are considered probationary for the first six (6) months of employment. The exception to this would be the Police Officers who are considered under a probationary period for Twelve (12) months after completion of the Criminal Justice Academy. The probationary period shall be considered an extension of the selection process. Probationary employees may be removed at any time during the probationary period without cause and without the right to file a grievance.
- D. No applicant shall be considered for full-time employment in the same department where they would be directly supervised by an immediate family member. No Town of Skowhegan employee shall vote, make recommendations or in any way participate in decisions about any personnel matter which may directly affect the selection, appointment, retention, tenure, compensation, promotion, termination, other employment status or interest of an immediate family member. For purposes of this article only, immediate family is defined to mean spouse, parents, children, brothers, sisters, mother-in-law, father-in-law, grandfather, grandmother, and grandchildren, and domestic partners as well as family members residing in the same household.
- E. All full time employees will be evaluated in writing on an annual basis, based on their anniversary date. Any new Full Time employees will be evaluated in writing at the six month anniversary.

ARTICLE III – EQUAL OPPORTUNITY EMPLOYER

- A. The policy of the Town of Skowhegan is to provide equal opportunity to all employees and applicants without regard to religion, age, sex, marital status, race, color, and ancestry, or national origin, physical or mental handicap, except as a bona fide occupational qualification.

ARTICLE IV – TYPES OF APPOINTMENTS

The following types of appointments may be made to the Town's service in conformity with established rules.

- A. Full time – A full time employee works full time up to forty (40) hours per week or whatever hours are established by the Town Manager and on a continuing basis (indefinite). He/she is subject to all personnel rules and regulations and receives all benefits and rights as provided by these rules and any bargaining unit agreement.
- B. Regular Part-time- An employee in this classification works up to thirty-two (32) hours per week, on a continuing basis (indefinite). He/she is subject to all personnel rules and regulations.
- C. Temporary Employees - Temporary employees work on a non-permanent basis, usually within a limited time frame. These employees are not entitled to benefits such as health insurance, holiday pay, sick leave, vacation time, or seniority, and may be terminated for any reason at any time.
- D. The Town of Skowhegan shall maintain job descriptions, which shall provide a systematic arrangement and inventory of positions in the Town.

ARTICLE V – EMPLOYEES CONDUCT

See appendices 1 thru 9

ARTICLE VI – WORK WEEK/OVERTIME

- A. Work Week - The regular work week for payroll purposes begins on Monday and ends Sunday midnight. The actual hours for Town Employees shall be set by the Department Head, Town Manager or Bargaining Unit Agreement.
- B. Overtime - Employees non- exempt from the Fair Labor Standards Act shall receive overtime pay after forty hours of actual work and in compliance with the bargaining agreement. All overtime shall be paid at the rate of one and one-half times the employee's normal rate of pay.

ARTICLE VII – ATTENDANCE

Employees shall be at their respective places of work at the appointed starting time. It is the responsibility of employees who may be absent from work or who will be late for work to notify his/her immediate supervisor or the Town Manager the reason for the

absence or tardiness, not previously arranged for, if possible, within two (2) hours of the beginning of the starting time of his/her work day.

ARTICLE VIII – HOLIDAYS

- A. Any Full Time employee is entitled to sick leave, holiday benefits and vacation time.
- B. Subject to these rules, the following holidays shall be paid holidays for regular Town employees.

- 1. New Year’s Day
- 2. President’s Day
- 3. Patriot’s Day
- 4. Memorial Day
- 5. Independence Day
- 6. Labor Day
- 7. Veterans Day
- 8. Thanksgiving
- 9. The day after Thanksgiving
- 10. The day before Christmas
- 11. Christmas Day

- C. If a regular holiday falls on the weekend, the employee shall receive either the preceding Friday or the succeeding Monday as a holiday (All employees will have the same day off). This will be with approval of the Town Manager.

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

- E. Holiday pay is considered up to eight (8) hours pay for hourly employees.

- F. When occasion warrants, employee may be required to work whole or part of a holiday. Each non-exempt employee working a holiday shall receive straight holiday time pay plus their one and one half hour pay for working on a holiday, if the holiday is on a day off, employee is entitled to a days holiday pay at straight time or equivalent compensation time.

EXEMPT EMPLOYEES: Department heads, salaried employees and part-time and temporary employees.

- G. Holiday pay for part-time and temporary employees will be 1-1/2 times their regular rate for only those that worked on the Holiday.

- H. In order to be eligible for holiday and /or premium pay for hours worked on a holiday, the employee must work the regular scheduled day before and the regular scheduled day after the holiday unless excused.

- I. Christmas Bonus. All regular full time employees and elected officials working for the Town of Skowhegan full-time shall receive a Christmas Bonus of \$10.00 after one full year and \$25.00 after two full years of employment by the Town of Skowhegan.

ARTICLE IX – VACATION

- A. Vacation privileges are available to full-time employees subject to the following conditions. Each full-time employee shall earn vacation with pay on the following basis:

After	Vacation Hours
1 year of service	one (1) week
2 years of service	two (2) weeks
5 years of service	three (3) weeks
10 years of service	four (4) weeks

After ten years of service, each employee shall accrue an additional one-half (1/2) day per year. (For employees hired before January 1, 2007 only)

- B. The above areas shall apply to all Town employees that have accumulated time. All employees that have voluntarily terminated employment and have been rehired within the one (1) year of termination will regain service time for the purpose of accrual rates after two (2) additional years of continuous service.
- C. Vacations will be scheduled at such time or times as shall be mutually agreeable to the Department Heads and/or Town Manager. Due consideration and guidelines of the bargaining agreement employees will be given priority based on seniority in regard to scheduling.
- D. All employees' vacation allotment is posted monthly on the employee's anniversary date. Employees may accrue up to five weeks of vacation. Vacation time not taken after the accrual of five weeks shall be lost. Exception to this may be permitted for special reasons with prior approval of the Town Manager. However, employees shall not receive vacation leave until they have completed their first six months of employment by the Town as a full time employee as described in Article IV. Time used will be based on accrued time.
- E. Employees may receive their vacation pay prior to the start of their vacation, but must advise the Finance Director in writing one (1) week in advance of vacation.
- F. No employee shall be called into work during the employee's vacation except in the case of an emergency. In no case shall an employee be paid for both vacation and work time.
- G. In the event of dismissal of any employee for just cause, said employee shall be entitled to vacation pay for all unused vacation.

ARTICLE X – LEAVES OF ABSENCE

- A. Bereavement Leave - Employees shall be granted up to three (3) work days of leave because of death in his/her immediate family, as outlined below, and shall be paid at his/her regular rate of pay for scheduled work hours missed. It is intended that this time be used for the purpose of handling necessary arrangements and attendance at the funeral. Additional time off may be given at the discretion of the Town Manager.

For purposes of this article only, immediate family is defined to mean spouse, parents, children, brothers, sisters, mother-in-law, father-in-law, grandfather, grandmother, and grandchildren, and significant others determined by the Town Manager. One (1) workday

may be granted to employees at the sole discretion of the Town Manager for attendance at funerals of persons not covered under the above definition.

Any bereavement leave will be charged to sick leave.

- B. Leave without pay - See appendix four (4)
- C. Jury Duty - The Town shall pay to an employee called to jury duty the difference between his/her regular pay and juror's pay provided the employee presents an official statement of jury pay.
- D. Military Leave of Absence - Any member of the Military forces, including the National Guard, and the Reserves of the United States of Armed Forces, who, in response to Federal or State orders, take military leave of absence from a position other than a temporary position in employ of any civilian employer, shall:
 - 1. Give at least two (2) weeks notice, if possible, to the Town of his absence for military duty.
 - 2. Obtain confirmation from the Adjutant General, Camp Keyes or applicable Guard or Reserve Headquarters, of satisfactory completion of his/her military duties upon return to civilian employment or immediately thereafter.
 - 3. Reinstatement. Any employee who is in compliance with these requirements and is still qualified to perform the duties of such position, will be reinstated without loss of pay grade, seniority, benefits, status and any other incidences of advantages of employment as if he had remained continuously employed. The period of absence shall be construed as a Leave of Absence without pay.

ARTICLE XI - SICK LEAVE

- A. Sick leave usage shall be recorded regularly by payroll Finance Director. The Town Manager shall review all sick leave records periodically and shall investigate any cases of which indicate abuse of the privilege. Abuse of the sick leave privilege shall be fined by loss of one day's pay for each day taken, Department Heads will enforce.
- B. Eligible employees shall be entitled to one (1) work day for each full calendar month of service with leave accumulative. Employees shall be eligible to use sick leave after one full calendar month of service with the Town. For the purpose of this section, the first month of employee's service shall be counted as a full month of service if employment begins on or before the fifteenth (15th) of the month. Sick leave will accumulate to 130 days maximum.
- C. An eligible employee shall be entitled to sick leave pay when, by reason of "non-service connected" disability injury or illness, the employee is able to perform none of the duties for which the employee is qualified.
- D. An employee may use sick leave for the purpose of fulfilling a prescheduled dentist or doctor appointment, with at least forty-eight (48) hours' notice, excepting emergencies.

- E. The Employer agrees to allow the use of sick leave for family illness. For purpose of this section family shall be defined as the employee's spouse or significant other residing in the household and dependent children. A doctor's certificate will be required by the Town Manager.
- F. In any case, the Town Manager may, in the exercise his/her independent judgment, to require further evidence of a claim for sick leave, including a doctor's certificate, to establish the nature of the employee's disability and the employee's inability to perform the work assignment. Such evidence may be requested by the Town Manager after three (3) sick days have been utilized by the employee or in the instance where there is positive evidence of abuse of sick leave. This information must be provided by the employee. If there is doubt in the case where the Town Manager requests a doctor's certificate, the Town Manager may select a physician and the Town must bear any cost incurred.
- G. Absence for a part of the day that is chargeable to sick leave shall be charged proportionately in an amount not smaller than one hour.
- H. All sick-leave shall expire on the date of resignation or termination from the Town and no payment shall be made for that which expires.
- I. If an employee is rehired at any time, no sick leave will be reinstated and employee must start over to accumulate sick pay.
- J. Employees are entitled to utilize earned sick leave credits as maternity leave. After exhausting sick leave credits, no compensation shall be given by the Town except from existing insurances or future insurance plans.

ARTICLE XII – SICK LEAVE DONATION:

The purpose of the Sick Leave Donation Policy is to provide an additional paid leave for employees who have exhausted their accrued sick and vacation leave benefits as the result of a catastrophic illness or injury. The policy allows employees to voluntarily contribute leave to other employees. The purpose of this policy is not to provide unlimited paid sick leave, but to alleviate the hardship caused when employees lose compensation as the result of a catastrophic illness or injury.

- A. Only employees that have been employed full-time continuously for at least 6 months are eligible to receive Sick Leave Donations.
- B. Eligibility is discontinued upon termination of employment, retirement or death. No payment of benefits will be made to survivors.
- C. This benefit is available to those employees who have completely exhausted all sick and vacation leave and who are not receiving MMEHT Income Protection Plan benefits or Worker's Compensation.
- D. An employee may receive a maximum of 8 weeks of sick leave pay through this donation policy.

- E. An employee may donate no more than 2 weeks of sick time, and donors must have a minimum balance of 13 weeks after making a donation.
- F. Any employee who wishes to donate leave must sign a statement indicating the donation is voluntary. Donation forms will be submitted to the Human Resources Director.
- G. Sick Leave Donations may be used for the personal illness or injury of the employee or to care for a parent, spouse, domestic partner, or child with a serious health condition.
- H. Use of Sick Leave Donation benefits is considered under the provisions of the FMLA and any use is included in the 12 weeks of leave provided under this Act, if applicable.

An employee can initiate a donation request through the Human Resources Director within 2 weeks of exhausting their accrued leave benefits. The HR Director may also initiate the process when appropriate. The HR Director will send email notice of the request to all Department Heads for distribution. Employees who wish to donate sick leave must submit a donation form to the Human Resources Director within a week. Donations will be received on a first come basis until the necessary sick leave has been donated up to the maximum extension available.

All sick leave will be administered in accordance with the Americans with Disabilities Act and Family and Medical Leave Act requirements and in accordance with the Personnel Policy – Appendix Four, Family Medical Leave (FMLA) Leave of Absence.

ARTICLE XIII – TOWN INSURANCES:

- A. Health Insurance: For all regular full-time employees the Town will pay one hundred percent (100%) of single subscriber health insurance coverage and fifty percent (50%) of the family members' coverage. The Board of Selectmen shall select the Health insurance plan to be provided to employees.

NOTE: Insurance from loss of work, life or limb for being disabled from the job is paid by the Town for all active Police Officers and Firefighters.

- B. Dental Insurance: For all regular full-time employees, the Town will pay one hundred percent (100%) of the single subscriber dental insurance coverage and zero percent (0%) of the family members' coverage. The Board of Selectmen shall select the dental insurance plan to be provided to employees.
- C. Life Insurance: For regular full time employees, basic life of one-year salary is offered free by the Town. Employee may purchase supplemental life insurance for themselves and dependants. Employee pays all costs. (Optional)
- D. Income Protection Insurance: For all regular full time employees, employee pays all costs. (Optional)
- E. Health Insurance Buy-out: All regular full-time employees who are covered by a comparable group health insurance plan may, subject to the rules of the health insurance provider, drop entirely the Town's health coverage. In exchange, that employee will

receive three (3) payments of five hundred dollars (\$500.00) during the course of the year. Reenrollment in the plan may occur under the rules of open enrollment or if the employee incurs a “qualifying event” as outlined in the Health Trust Plan Document.

ARTICLE XIV – REIMBURSEMENT OF EXPENSES

- A. Employees shall be reimbursed for reasonable and necessary expenses incurred while carrying out official Town business when authorized by the Town Manager. Such reimbursement shall be made in accordance with the submission of receipts.
- B. Travel Pay: Employees will be reimbursed for the use of their personal vehicle authorized by the Town Manager at the rate set by the Board of Selectmen, but not lower than forty-four (44) cents per mile. Travel reimbursement shall not apply to travel from employee’s home to work and work to home.

ARTICLE XV- RETIREMENT

In addition to Social Security, the Town participates in the Maine Public Employees Retirement System (MPERS). Participation in the Maine Public Employees Retirement System is voluntary. The Town will match the employee’s contribution of 8% for regular plan A and 9.5% for special plan 3 at a rate set by the Maine Public Employees Retirement System.

An employee shall be allowed membership in the Retirement System on the first day of employment if his/her job description is one that would require him/her to work a regular schedule of at least 20 hours per week and accumulate at least 960 hours in a period of 12 consecutive months or 1,560 hours in 18 consecutive months. By classification this eligibility shall exclude reserve officers, volunteer firefighters, temporary positions, seasonal positions and positions paid by stipend.

Any employee who reaches retirement age as defined by MPERS, and wishes to file for benefits provided by MPERS may do so by tendering a retirement notice to the Town at time of filing for MPERS benefits. The notice shall be on the form provided for this purpose and shall include the last date of employment, along with any other information requested by the Town. For the purpose of this article, the retirement notice required herein is also considered notice of the employee’s resignation from his/her position with the Town of Skowhegan.

Position Vacated - Effective on the day following the stated last date of employment, the position becomes vacant and open to any interested person who wishes to apply for appointment.

Eligibility to be Re-hired - Nothing in this policy shall be construed to guarantee continued employment beyond the retirement date. However, once the position is declared vacant, the retiring employee may apply for consideration for re-appointment along with any other interested applicants. The retired applicant’s past work performance and personnel records may be considered as factors in the hiring process.

An employee that is rehired after filing for MPERS benefits will receive 95% of the compensation rate that they received prior to retirement. The employee's rehire date will serve as his/her new anniversary date for purposes of pay increases and vacation accruals. Compensation shall remain at 95% after applicable pay increases. The employee shall receive two (2) weeks of non-accruing personal days annually. An employee that is rehired under these conditions may be employed by the town for a maximum of five additional years.

Compliance with MPERS Rules Governing Return Employment - Retirees returning to employment after retirement from the town must first submit certification from MPERS that he/she has complied in every respect with Chapter 410 of the rules of MPERS regarding "employees returning to employment after retirement with same employer", and any other rules in effect at the time that would affect the validity of employment.

ARTICLE XVI – GRIEVANCE PROCEDURES

- A. A grievance is hereby defined to be any controversy, complaint, misunderstanding or dispute that may arise under the interpretation or application of the personnel policy and/or bargaining agreement.
- B. A grievance arising by a bargaining unit employee will be referred to the procedures set forth in the bargaining unit agreement.
- C. All other employees will fall under the following.
 - 1. Should an employee feel aggrieved concerning the interpretation, meaning, or application by the Town of any provisions of the Town's Personnel rules, regulations and policies or terms of employment, within five (5) work days from incident, he/she shall submit the details of such grievance in writing to the Department Head.
 - 2. Within five (5) working days thereafter, the Department Head shall meet with the employee for the purpose of discussing the grievance and the Department Head shall render his/her decision in writing within five (5) working days after said meeting.
 - 3. In the event that the matter is not thereby resolved, the employee may within three (3) work days following the Department Head's decision, bring the grievance in writing to the attention of the Town Manager. The Town Manager shall have five (5) work days to consider the matter and render a decision in writing.
 - 4. If the matter is still not resolved to the satisfaction of the employee, the employee may bring the matter to the attention of the Board of Selectmen for their consideration by submitting a written statement setting forth the specific nature and details of grievance. The Board of Selectmen will have five (5) working days to make their decision in writing.
 - 5. The employee has the right to further action through the Department of Labor.

ARTICLE XVII – RESIGNATION

All employees resigning from service of the Town shall give a written two (2) week notice. In case an employee has problems writing, a verbal resignation is acceptable when given to the Town Manager.

ARTICLE XVIII – POLICY OF HARASSMENT

- A. Sexual harassment policy -- See appendix five (5)
- B. Verbal or Physical Harassment – It is the policy of the Town that all our employees shall be able to work in an environment free from all forms of harassment. Harassment, both verbal and physical is prohibited. This policy refers not only to supervisor-subordinate actions, but also to actions between coworkers, residents, and family members while in the performance of the employee’s duty. Any complaint of harassment will be investigated promptly. There will be no intimidation, discrimination, or retaliation against any employee who makes a report of harassment.

ARTICLE XIX – SMOKING POLICY

In accordance with the provisions of the Workplace Smoking Act of 1985 (Title 22, section 1580-A), smoking is permitted only in designated areas determined by the Town Manager. Smoking will only be allowed on scheduled breaks. **Exemption** *Community Center is a tobacco free area.*

ARTICLE XX – DISCIPLINARY ACTION

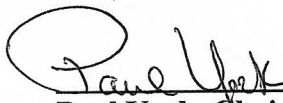
- A. Progressive Disciplinary/Reprimand Procedure: A Department Head or the Town Manager who notes unsatisfactory behavior or job performance by an employee may take appropriate disciplinary action, which shall include a reason or reasons for the discipline, and the type behavior and/or level of job performance expected. Means of improvement shall be discussed. Repeated infractions or continual unsatisfactory performance may lead to more severe disciplinary actions up to and including dismissal. Reprimands shall be presented with regard for minimizing embarrassment to the employee before other employees or the public. Disciplinary actions shall be for just cause.
- B. Disciplinary action may include, but is not limited to: Oral Reprimand or written reprimand, suspension and discharge. The Town adheres to the practice of progressive discipline. The Town reserves the right to utilize the appropriate level of disciplinary action based upon the seriousness or severity of the infraction or behavior in question.
- C. The employer shall not discharge nor suspend any employee without just cause. In all cases involving the discharging or suspension of any employee, the employer must immediately notify the employee in writing of the discharge or suspension and the reason thereof.
- D. Any employee discharged must be paid in full for all wages owed the employee by the Employer, including earned vacation and holiday, if any, within ten (10) working days

from date of discharge, unless employee has an appeal pending, then all earned vacation and holiday will be given after appeal decision. Sick time is excluded.

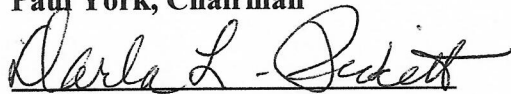
- E. Notice of appeal for discharge or suspension must be made to the Employer in writing, within ten (10) working days from the date of the discharge or suspension.
- F. Should it be proven that a discharged or suspended employee was improperly discharged or suspended; the employee shall be fully reinstated in the position and be compensated at the employee's usual rate of pay for lost work opportunity and all unused benefits reinstated.
- G. All records of employee discipline shall be retained in the employee's personnel file. Any material inserted into an employee's personnel file shall be dated, shown to the employee and the employee shall initial same, attesting only to the fact that they have seen and aware of the material being put into their personnel file. (Any material not so processed cannot be used against an employee in any present or future disciplinary action).
- H. Records of reprimand and preventable accident reports of the same offense shall be removed from personnel files after two (2) years from date of the same offense since that date. Records of suspension, disciplinary action, and/or demotions of the same offense shall be removed from personnel files after three (3) years from date of the occurrence, provided that the employee has had no further disciplinary action of the same offense since that date. Records so removed can not be used against an employee at any future date.

NOTE: All grievance procedures shall be referred back to Article XVI.

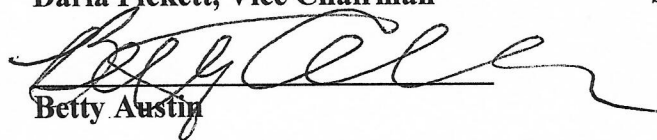
Signed and Dated at Skowhegan, Maine this 10th day of October, 2017.




Paul York, Chairman



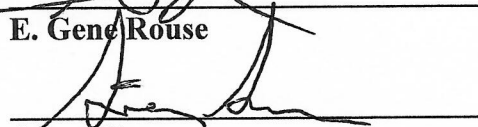
Darla Pickett, Vice Chairman



Betty Austin



E. Gene Rouse



Soren Siren

Appendix One

Employee Conduct

Employees are expected to conduct themselves in a responsible, professional, and businesslike manner in accordance with the Town's policies and procedures. When a violation of Town policies and procedures or other improper or inappropriate conduct occur, employees may be disciplined. The necessity for, and the severity of, the discipline will be determined by the Town in accordance with the Town's Personnel Policy and the bargaining unit contract.

The following are examples of misconduct that may result in discipline, up to and including immediate termination. This conduct is not intended to be comprehensive, and the Town of Skowhegan reserves the right to take disciplinary action based on conduct NOT listed here.

- Violating Town policies or procedures
- Unexcused, habitual, or excessive tardiness or absenteeism from work.
- Improper discussion, disclosure, or release of confidential information. Many Town employees have access to confidential information pertaining to persons or property in the Town. Employees must not use this privileged information to their private advantage or to provide friends or acquaintances with private advantages. Each employee is charged with the responsibility of releasing only information which is required under the "Right to know Law", 1 MRSA Section 401-410
- Insubordination (disobedience to authority or deliberate failure or refusal to follow orders or instruction.)
- Falsification of Town documents or records (including, but not limited to, obtaining employment on basis of false or misleading statements, making any false statements on your employment application, omitting information from your employment application, or falsifying employment records such as timesheets, payroll records, or expense reimbursement forms.
- Neglecting, failing or refusing to perform assigned duties.
- Interfering with another employee's job performance.
- Failure to cooperate in the investigation of a violation of Town policy or procedure.
- Abuse or unauthorized use of Town property.

- Deliberately damaging property belonging to the Town of Skowhegan, co-worker, or any individual in the offices of the Town.
- Inappropriate, improper, or unprofessional conduct while on the Town of Skowhegan's premises or performing the Town's business. The employee is prohibited from engaging in ANY conduct which could reflect unfavorably upon the Town or disrupt the efficient operation of the administration.
- Any other act or omission which is detrimental to or interferes with the interests of the Town, its employees, clients, vendors, or the public.
- Any discriminating comments, statements written or verbal exchange made by any employee to another employee, supervisor, or resident.
- Receipt of gifts. The employee is prohibited from solicitation or accepting any gift, gratuity, favor, entertainment, loans, or any other items of monetary value from any person, within or outside Town employment, whose interests may be affected by employee's performance or nonperformance of his/her official duties. Acceptance of nominal gifts such as food and refreshments in ordinary course of business meetings, or unsolicited advertising or promotional material such as pens, note pads, calendars, etc. is permitted.
- Toll call abuse. Cell phone abuse.
- No employee shall engage in any other business other than his/her regular duties during work hours.

This list contains examples only; it does not include all possible conduct that may result in disciplinary action. Any employee who engages in conduct which the Town of Skowhegan, in its sole discretion, considers inappropriate or improper may be subject to immediate disciplinary, up to and including termination.

Appendix Two

Drug and Alcohol Prevention Policy

The Town has adopted the following rules and procedures with respect to drugs and alcohol. These rules and procedures apply to all our appointed or elected personnel and applicants for employment.

1. **Impairment Prohibited-** No employee will work or report to work or be on Town property or on town business with (a) any illegal drug or controlled substance not medically authorized, in his/her system, or (b) under the influence of or impaired by alcohol or any other substances which may impair job performance or pose a hazard to the safety and welfare of the employee, the public or any other employees.
2. **Possession/Use Prohibited –** No employee will use, consume or possess, on Town property, time or business, any illegal drug or controlled substance not medically authorized, or any other substance which may impair job performance or pose a hazard to the safety and welfare of the employee, the public or other employees. The use of alcohol on Town premises is also prohibited, except in connection with Town sponsored social events.
3. **Violation of Policy-** An employee who violates the Town’s Drug and Alcohol Prevention Policy will be subject to appropriate disciplinary action, up to and including termination of employment. However, the Town reserves the right, in its discretion, to allow an employee to seek professional assistance in dealing with a substance abuse problem rather than to be subject to disciplinary action.

Drug-Free Workplace Policy

In addition to the rules and procedures set forth above, the Town maintains a drug-free workplace, in keeping with Federal Drug-Free Workplace Act of 1988. The Town prohibits its employees from unlawfully manufacturing, distributing, dispensing, using or possessing any illegal drug, or paraphernalia associated with illegal drugs, on the Town’s premises or while engaged in Town business.

Exception: evidence held by the Police Department

As used in this policy. The term “illegal drug” means any controlled substance as identified in the Federal Control Substance Act, as further defined by Federal Regulations. The Town premises include, but are not limited to, the Town-owned buildings, offices, garages, equipment, parking lots and any other area where an employee is engaged in Town business and/or operating equipment.

Compliance with this policy is a condition of employment and continued employment with the Town. The Town may as it chooses, report any employee who violates this policy to law

enforcement authorities. Although any employee who violates the provision of this policy will be subject to disciplinary action, up to and including, termination of employment. The Town also reserves the right, in its discretion, to impose a lesser degree of discipline or refer the employee for drug counseling, rehabilitation, or some form of employee assistance. However, the Town's reservation of this right is not intended to create, and does not create, any right on the part of any employee to a lesser degree of discipline or employee assistance.

Any employee who is convicted under criminal drug law based upon workplace conduct **MUST** notify the Town Manager in writing within five (5) work days of such conviction. The Town, in turn, will notify any applicable federal agency from which it receives a grant or contract of any employee work-related drug conviction within ten (10) work days after receiving notice of such conviction.

Designated Employer Representative

The Finance/Human Resource Director is designated by the Municipality as the Alcohol/Drug Testing Designated Employer Representative. The Designated Employer Representative is responsible for answering questions from drivers, employees or the public in general. The Designated Employer Representative will maintain the confidentiality of all information relating to drug and alcohol testing. The Designated Employer Representative may provide such information as necessary to enable the supervisor to take the appropriate action to ensure compliance with this policy. The Designated Employer Representative is authorized by the employer to take immediate action(s) to remove employees from safety-sensitive duties and to make required decisions in the testing and evaluation processes. The designated Employer Representative also receives test results and other communication for the employer consistent with the requirements of CFR Part 40. In addition to his/her duties under this policy, the Designated Employer Representative is also responsible for compliance with the Designated Employer Representative Guidelines.

NOTE: All new and present Town employees are eligible for drugs and/or alcohol testing.

Scope of Policy for Commercial Driver's License

This policy applies to all regular full time, part-time and temporary employees who are required to hold a valid Commercial Driver's License (CDL) for their position. All applicants for employment in positions requiring a CDL are required to pass a drug and alcohol test as a prerequisite of employment. Any applicant who fails a drug or alcohol test shall not be hired, although may re-apply for employment in the future. This also includes the Fire Department and Police Department.

All CDL employees, police and fire department employees subject to alcohol and drug testing must be in compliance with this policy at all times while working for the Municipality. This includes all time spent operating commercial and/or Town-owned vehicles, as well as time spent maintaining or repairing those vehicles.

NOTE: Independent contractors and their employees who must hold a CDL for contract activity are subject to the requirement of 49 CFR parts 382 and are responsible for compliance. The Municipality will not provide or pay for testing or rehabilitation for independent contractors or their employees. The Municipality shall make compliance with the law a condition of any contract which requires a CDL License.

Substance Testing

When drug and/or alcohol screening is required by this policy, a breath test and/or urine test will be given to detect the following:

1. Alcohol
2. Marijuana
3. Cocaine
4. Amphetamines
5. Phencyclidine (PCP)
6. Opiates

Prescription Drug Use

Employees covered by this policy may use prescription drugs and “over the counter” medication provided that:

1. The prescription drug or the generic equivalent has been prescribed to the employee within the past twelve (12) months by an authorized practitioner.
2. The employee does not consume prescribed drugs more often than prescribed by the employee’s physician.
3. Any employee who has been informed that the medication could cause adverse side effects while working shall inform his/her supervisor prior to using these substances. The Municipality reserves the right to have a licensed physician determine if use of a prescription drug or medication can cause adverse effects. If a finding is made, the Municipality may notify the employee’s doctor (with approval of employee) to determine if other medications are available which would not affect the employee’s ability to work safely. If not available, the employee may be limited or suspended from work activities or to non-safety duties.

Testing Required

All employees are subject to this policy shall be tested for alcohol and/or controlled substances in the following circumstances:

1. Pre-employment. Drug test will be conducted when an offer is made to hire an employee for any position to include CDL position. This offer is contingent on the applicant passing the test.
2. Random. Drug and alcohol testing will be conducted on a random, unannounced basis. The Municipality has entered into an agreement with a third party administrator (TPA) to

- randomly select the CDL employees for testing and notify the Designated Employer Representative of the persons or person(s) to be tested.
3. Post-accident. As soon as is practical after an accident, the employee shall be tested for alcohol and/or drugs if: (a) the accident involved the loss of human life; or (b) the employee received a citation for a moving traffic violation arising from the accident, or (c) in the judgment of the Department Head or Town Manager the fault was that of the employee.
 4. Reasonable suspicion. All employees who exhibit, to a TRAINED supervisor, signs and symptoms of alcohol and/or drug abuse while on the job, prior to reporting to work, or just after work will be required to submit to an alcohol and/or drug test. The supervisor shall document the facts, symptoms or observations by completing a "Reasonable Suspicion Record" form with a copy going to the Designated Employer Representative.

NOTE: Do not allow an employee to drive him/herself to the testing facility for a reasonable suspicion test. Instead, the supervisor or another employee will provide transportation to the facility.

5. Return to duty. An employee who engages in the following prohibited conduct must submit to an alcohol/drug test to return to duty. The results of a drug test must be negative and the alcohol must be less than 0.02 to return to duty.
6. Alcohol concentration of 0.02 or greater but less than 0.04. Any employee whose alcohol test results in a 0.02 or greater but less than 0.04 shall not be permitted to perform any safety-sensitive functions for at least twenty-four hours following the test. The employee will not be paid for time lost as a result of this. Employee will not be required to undergo substance abuse evaluation if result is between these guidelines, nor will a return to duty test be required. Unless there is reasonable suspicion that the employee is still under the influence.

Prohibited Conduct

1. Report to work and/or remain on duty with alcohol concentration of 0.04 or greater;
2. Possess any alcohol while on duty;
3. Use alcohol on duty;
4. Use alcohol within four (4) hours before going on duty;
5. Use alcohol within eight (8) hours after an accident for which the CDL employee must be tested.
6. Refuse to submit to an alcohol and/or controlled substance test: random test, reasonable suspicion test, post-accident test, or follow-up test;
7. Report to or remain on duty when using any controlled substance, except when used under physician's orders when the physician has informed the employee, in writing, that the use will not affect the safe operations of commercial vehicles. This will be reported to the supervisor immediately.
8. Report to or remain on duty if the employee tests positive for controlled substances.

Failure to comply with these rules is a violation of this policy and may result in disciplinary action and the employee shall be referred to a substance abuse professional.

Refusal to Test

An employee who fails to submit to testing may result in disciplinary action up to and including dismissal, and can be referred to a substance abuse professional. Failure to submit by any job applicant is automatic denial of employment.

Notice of Consent

Before drug and/or alcohol testing is administered, employees and job applicants will be asked to sign a consent form authorizing the testing and releasing the information to officials that need to know.

Employee/Applicant Rights and Responsibilities

1. In event of a confirmed positive test employees and job applicants shall have the opportunity to present an alternative explanation for the test results by contacting the Medical Review Officer (MRO) this shall be done within seventy-two (72) hours of the result notification. No further action will be required if a justified explanation, reasonable doubt of test accuracy, or chain of custody of samples is proven.
2. Any employee with positive results may, with written request to Designated Employer Representative, have the information relating to test results and procedures. A job applicant may request information concerning test results within sixty (60) days after the decision on their employment application.
3. Upon successfully participating in a rehabilitation program (within six months after it commences) and passing a return-to-work drug and/or alcohol test, the employee is entitled to return to work in his/her previous job with full pay (not back pay) and benefits, unless conditions unrelated to the employee's previous test make the employee's return impossible. The rehabilitation or treatment center shall determine whether the employee has successfully participated in the rehabilitation program. The Municipality is not required to hold the job more than six (6) months after employee starts a rehabilitation program.

Confidentiality Information

Unless the employee or applicant consents, all information acquired by the municipality in connection with testing is confidential and may not be released to any person other than the employee or applicant who is tested, the Designated Employer Representative, officials with need to know and rehabilitation provider. The forgoing shall not prevent the release of information that is required or permitted by state and federal law, or the use of information in any grievance procedure, administrative hearing or law suit relating to the imposition of the test results.

Documents Provided

The Municipality will provide each person subject to this policy a copy of the policy.

Appendix Three

Solicitation and Distribution

Because distraction of employees on the job interferes with production and can lead to inefficiency, we have established the following rules;

1. During your work time, you may not engage in solicitation of other employees or distribution of literature for any purpose.
2. During another employee's working time, you may not solicit the employee for any purpose.
3. Distribution of literature of any kind may not be made in work areas of the Town anytime.
4. Persons not employed by the Town are not permitted to solicit employees or distribute literature on Town premises. Such persons should be directed to the Town Manager.
5. The phrase "working time" means all time an employee is required to perform actual job duties, but does not include the employee's coffee breaks, meal breaks, clean-up time, or time before/after shift.
6. Solicitation or distribution of literature otherwise permitted under this Policy must not create a litter problem, create traffic hazard or congestion, obstruct ingress to or egress from the Town's premises.
7. Certain bulletin boards are limited to OFFICIAL Town business. These bulletin boards are designated OFFICIAL by the Town Manager. All posting on these OFFICIAL bulletin boards must be cleared through the Town Manager.
8. Violation of this policy will result in discipline up to and including termination of employment.
9. None of this will stop the Bargaining Representative from his/her official visits.

From time to time, however, the Town or its employees may conduct or authorize charitable solicitations for the purpose of acquiring or maintaining goodwill in the community. Should you wish a charitable solicitation to be undertaken by the Town or its employees, please contact the Town Manager for a determination.

Appendix Four

Family Medical Leave (FMLA) Leave of Absence

Employees who have worked for the Town for at least twelve (12) months and at least 1,250 hours during the prior twelve (12) months may take up to twelve (12) weeks of leave for the following reasons:

1. Birth and/or care of a child of the employee;
2. Placement of a child into the employee's family by adoption or by foster care agreement;
3. Care of employee's spouse, child or parent who has a serious health condition; or
4. Inability of the employee to perform the functions of the employee's position due to a serious health condition.

Employees who have worked for the Town less than 1,250 hours during the past year are not eligible for Federal Family Medical Leave. These employees may be eligible for leave under the state law, or an unpaid leave of absence. It is the discretion of the Town and procedures are set forth below to apply for leave.

Any FMLA leave taken by an employee during the preceding annual year 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 (4) weeks of leave beginning on January 1, 2007, four weeks of leave beginning May 1 2007, and four weeks of leave October 1, 2007, the employee would not be entitled to any additional leave until December 1, 2007. On January 1, 2008, the employee would be entitled to an additional four weeks of leave.

The right to family leave for 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 birth or placement of the child. In case of an 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 Town agree.

For the purpose of this policy, a serious health condition means illness, injury, impairment or a 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 facility.
- any period of incapacity requiring absence from work or other regular daily activities for more than three (3) consecutive calendar days that also involves continuous treatment by or under the supervision of a health care provider.

- 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) consecutive calendar days.
- prenatal care.

In case of unpaid leave for serious health conditions, the leave may be taken intermittently or on a reduced hour basis only if such leave is medically necessary. Where an employee requests intermittent leave or leave on a reduced hour basis due to family member's or the employee's own serious health condition, the Town has the option, and 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. The temporary position will have equivalent pay and benefits as the employee's regular job.

Family and medical leave is an unpaid leave of absence. However, where appropriate, employees must use accumulated vacation, personal days, and sick time during family and medical leave. The employee will be notified in writing if required to substitute vacation and/or sick time for unpaid family and medical leave.

An employee who loses time from work due to a work-related illness or injury may be eligible for workers compensation benefits. If such illness or injury is a serious health condition as defined above, the absence will be treated as family and medical leave under this policy.

When the necessity of the leave is foreseeable due to the expected birth or placement of a child, the employee must provide the Town at least thirty (30) days notice of the employee's intention to take the leave. If the date of the 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 Town, the employee must provide notice as soon as practical. Where necessity for leave is due to a family member's or an employee's 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 is less than thirty (30) days; and
- make a reasonable effort to schedule the treatment so as not to unduly disrupt the operations of the Town, 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 leave request based on a family member or employee's own serious health condition must be supported by certification from a healthcare provider. The employee must provide a copy of the certification to the Town within fifteen (15) calendar days unless other arrangements have been made. 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 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 function of his/her job; and
- in case of intermittent leave or leave on a reduced hour's basis for planned medical treatment the date the treatment is expected to be given and the duration of the treatment.

During family leaves of absence, the Town will pay for health insurance premiums. If the employee does not come back to work he/she will be responsible for reimbursement to the Town of any health benefits paid by the Town.

During leave, the employee shall not accrue employment benefits such as vacation, sick leave, etc. Employment benefits accrued on the day that the family leave of absence begins will not be lost.

The Town shall require an employee on FMLA leave to report periodically on his/her status and the intention of the employee to return to work, and also periodic re-certification of the medical condition. An employee taking leave due to the employee's serious condition is required to obtain certification that the employee is able to resume work prior to the return from any FMLA leave. A job description will be available to the medical service to determine qualification to come back to work.

Employees who return to work from FMLA leave within or on the business day following the expiration of twelve (12) weeks are entitled to return to their job or an equivalent position without loss of benefits or pay, unless (a) their employment with the Town would have been terminated if no leave had been taken; (b) they have given notice to their intent to terminate their employment; or (c) they cannot with or without reasonable accommodation, safely perform the essential functions of the job to which they may be restored. Certain key employees may not enjoy these reinstatement rights.

Appropriate forms must be submitted to the Human Resource Director. All necessary forms are available from the Human Resource Director.

Appendix Five

Policy Prohibiting Sexual Harassment

Sexual harassment in the workplace is unlawful, as is it is also unlawful to retaliate against an employee for making a complaint of sexual harassment or for cooperating in an investigation of such a complaint. The Town absolutely prohibits sexual harassment of any employee by a supervisor, co-worker, a contractor, a vendor or a customer and prohibits retaliation against any employee for making such a complaint or cooperating in the investigation of such a complaint. All supervisory personnel are responsible for enforcing this position. Failure to do so will be considered a failure to fulfill all the responsibilities of the position.

“Sexual Harassment” is defined as “Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when (1) submission to such conduct is made either explicitly or implicitly as a term or condition of an individual’s employment. (2) submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual, or (3) such conduct has the purpose or effect of unreasonably interfering with an individual’s work performance or creating an intimidating hostile or offensive working environment.”

Sexual harassment does not refer to occasional compliments of a socially acceptable nature. It refers to behavior, which is unwelcome.

Examples of sexual harassment may include but are not limited to: (1) repeated offensive sexual flirtations, advances or propositions; (2) continued or repeated verbal abuse of a sexual nature; (3) graphic or degrading verbal comments about an individual or his or her appearance; (4) the display of sexual suggestive objects or pictures; (5) any offensive or abusive physical contact.

In addition, no one should imply or threaten that an applicant or employee’s “cooperation” of a sexual nature (or refusal thereof) will have any effect on the individual’s employment, assignment, compensation, advancement, career employment, or any other condition of employment.

Any employee who experiences sexual harassment is required to immediately report the matter to one the following persons:

- your immediate supervisor **OR**
- Human Resource Director **OR**
- directly to the Town Manager **OR**
- directly to the Chairman of the Board of Selectmen

The Town will immediately investigate any complaint of sexual harassment. Any employee who is determined, after investigation, to have harassed another employee in violation of this policy will be subject to appropriate disciplinary action up to and including termination of employment.

Employees have the legal right to file a complaint of sexual harassment with the Maine Human Rights Commission, and are protected by law from retaliation for exercising this right.

Maine Human Rights Commission

State House Station 1

Augusta, Me 04333

(207) 624-6050

Appendix Six

Electronic, Communication, and Computer Equipment and Systems

All of the Town electronic, communication, and computer equipment, systems, software and services, including but not limited to the Town's electronic mail (e-Mail) and voice mail equipment and systems (collectively the "Electronic System"), are the property of the Town of Skowhegan. All communications, data, records, files, and other information (collectively, the "Information") created through the use of, or retained in, the Electronic Systems and the Information is available to the Town's employees solely for conducting Town Business.

The Town reserves the right to monitor the operation and use of the Electronic Systems and to access all information. Employees, consultants, vendors, contractors, clients, and suppliers using the Town's Electronic Systems for personal or other non-Town purposes do so at their own risk and with the knowledge that the Town may monitor, use and access any and all information resulting from such use.

All passwords and codes used in connection with the Electronic Systems and the information are the property of the Town of Skowhegan. The Town may override individual passwords and codes and require employees to disclose all passwords or codes. Employees must abide by, and not attempt to circumvent, all systems' security controls, including but not limited to the passwords of other individuals. The Town prohibits employees from accessing or attempting to access or use the email or voice mail systems of a co-worker unless authorized to do so.

All employees are expected to maintain a secure environment for the electronic systems and information. Accordingly, you are required to:

- protect the electronic systems, software, and services from all types of misuse, misappropriation, misapplication, and vandalism.
- protect the integrity and accuracy of information from unauthorized access, alteration, or destruction.
- maintain the privacy of proprietary, privileged, personal or otherwise sensitive information. (For example, you must, exercise caution when sending confidential information via e-mail, since the degree to which the information remains confidential is largely dependent upon the care and protection exercised by you and the recipient of the e-mail message. Another example is that privileged or confidential communications should be marked as such).
- use computer software and other copyrighted material in accordance with licensing agreements and applicable copyright laws.
- protect the electronic systems and information from viruses by not downloading software of any type. Under no circumstances may you make any unauthorized

connection between the electronic systems or information and any third party systems, software or data.

In keeping with the policies against unlawful harassment and discrimination, which are set forth above, the Town prohibits any use of the electronic systems to make offensive, harassing, vulgar, obscene, threatening, discriminatory, or intimidating communications. In addition, employees are prohibited from creating, distributing or soliciting sexually oriented messages or images using the electronic systems. The Town also prohibits communications that constitute slander, defamation, or unlawful trade disparagement of employees, clients, vendors or any other person or entity.

Nothing should be said in an e-mail message that would be inappropriate, improper, or unsuitable to state in a written memo. Employee should regard e-mail as another form of written communication.

The Town's policy regarding Confidentiality applies fully to all information within the Town's electronic systems. Employees may disclose information obtained from the Town's electronic systems only to authorized individuals. The provisions of the Town's policy on solicitation and distribution also apply fully to all electronic and telephonic communications.

The use of personal CELL phones shall not be abused; and at work shall be on vibrating or silent mode. All attempts shall be made to make calls on breaks or lunches.

Use of Town's phone for personal business is prohibited unless approved by Department Head or Town Manager. Long distance personal calls are prohibited and if determined happened, could mean disciplinary action.

Appendix Seven

Safety Policy

Vehicle Safety

Seatbelts are required to be worn by all drivers and passengers of vehicles owned by the Town of Skowhegan at all times.

State law requires that all operators and passengers of motor vehicles wear seatbelts in their personal vehicles.

Reporting of Hazards

It is the responsibility of the employee to report any safety issues or hazards of vehicles, equipment, or facilities to the Department Head or Town Manager.

Daily vehicle inspection checklists shall be maintained by operators assigned to equipment, vehicles or buildings.

Equipment Maintenance and Repairs

No employee shall operate, perform maintenance or make repairs to equipment without proper qualification or authority. Qualification or authority will be determined by the Department Head.

General Housekeeping

Good housekeeping is the responsibility of every employee. Keep your work area neat and clean at all times and also keep passageways, aisles, stairs and emergency exits clear of debris, tools, equipment and other material.

Reporting Injuries

An employee who sustains an injury while on duty must report the injury to his/her supervisor within twenty-four (24) hours. The Employee's Supervisor will be responsible for notifying the Human Resource Director of any injuries and ensuring necessary information and reports are completed and turned in to the Human Resource Director.

It is important for an employee to report all injuries no matter how small the injury.

Driver License

Employees of the Town of Skowhegan will be required to make their Driver's License available to their Supervisor to be photocopied. A copy of the license will be kept on file in the Human Resource Directors office. It is the responsibility of the employee to ensure that his/her license is

up to date and has not expired. Under no circumstances will any employee drive a Town-owned vehicle on an expired or suspended license.

Personal Protective Equipment

Approved personal protective equipment (PPE) will be worn by all employees working at or near hazardous or potentially hazardous conditions. It is mandatory to wear, as well as to care for, personal protective equipment (PPE).

For more explicit safety items refer to the Town of Skowhegan Safety Policy Book.

Appendix Eight

Municipal Vehicle Use Policy

Purpose

This policy provides guidelines for municipal employees and the use of municipal vehicles.

Vehicle Use

1. The Town of Skowhegan vehicles will be used for official municipal business only. This policy, however, does not preclude the use of the vehicle for incidental uses; e.g., stopping for lunch, or to get personal items at a store in route to or from an official use when approved by the immediate supervisor. Note: The perception of a potential “misuse” of municipal property by local citizens requires that such incidental use be kept to a minimum.
2. The priority use of these vehicles is for Town required business. Other use by other department municipal staff/officers shall be permitted only if the vehicle is not being used for the purpose it was acquired and must be approved by the Department Head.
3. A daily vehicle log must be maintained for when the vehicle is in use (If vehicle is not in use that day inspection will not be required). Note: This log requires a routine check of the vehicle, prior to, and post use of the vehicle and documentation of any damage or maintenance problems noted. (See Attachment 1) (Note: Log must include requirements for washing, weekly/monthly, oil changes, etc.)
4. The use of alcohol or any illegal drugs is strictly prohibited.
5. Smoking or the use of any type of tobacco or tobacco products in the vehicle is strictly prohibited.
6. Only authorized town employees/personnel may be passengers in Town-owned vehicles, unless approved by Town Manager.
7. All accidents, regardless of severity, must be immediately (in the event of personal injury, as soon as practical) reported to the Department Head or Town Manager. The vehicle operator must document all details surrounding the accident, including name, address, and insurance information for any other vehicles involved. This documentation must be submitted to the Town Office by close of business the day of the accident. If after hours, then the information must be submitted immediately on the following day, or as soon as possible thereafter.
8. Individuals using the vehicle are responsible for any speeding tickets, parking tickets or any other expenses that result from a violation of local, state, or federal ordinance, regulations or laws.

9. Violations of this policy by Skowhegan employees may result in disciplinary action up to and including dismissal. Employees violating this policy may have the privileges to use this vehicle revoked.
10. Routine Vehicle Maintenance will be the responsibility of the Highway Garage Mechanic and Department Heads. Factory Maintenance Schedules will be followed throughout the warranty period. After the end of the Warranty Period, normally acceptable routine maintenance for this type of vehicle will be followed and documented on the Vehicle Use Logs.
11. Vehicle cleanliness is important! This is because our citizen's have a direct interest in the condition and appearance of the vehicle. Vehicle cleanliness is the responsibility of the **last** person using the vehicle. Prior to use, the vehicle operator must inspect and note the condition of the vehicle (interior/exterior) on the Vehicle Use Log. To the extent possible, the Department Head or, if the Department Head is unavailable, the Town Manager, should be informed of any problems found **prior to** using the vehicle.

NOTE: UNDER NO CIRCUMSTANCES WILL ANY TOWN OWNED VEHICLE BE USED THAT IS UNSAFE OR IN A UNSAFE MANNER OR UNINSPECTED.

Appendix Nine

Fraud Policy

The Town of Skowhegan recognizes the importance of protecting the organization, its taxpayers, its employees and its assets against financial risks, operational breaches and unethical activities. Therefore, the Selectmen and Town Manager must clearly communicate the fraud prevention policy to employees.

The Town recognizes a zero tolerance policy regarding fraud and corruption. All matters raised by any source will be taken seriously and properly investigated. This policy covers all Town employees and officers.

Fraud is defined as an intentional deception, misappropriation of resources or the manipulation of data to the advantage or disadvantage of a person or entity. Some examples of fraud include:

- Falsification of expenses and invoices
- Theft of cash or fixed assets
- Alteration or falsification of records
- Failure to account for monies collected
- Knowingly providing false information on job applications
- Knowingly providing false information in requests for funding

Corruption is defined as the offering, giving, soliciting or accepting of an inducement or reward that may improperly influence the action of a person or entity. Some examples of corruption include bribery, conspiracy and extortion.

Reporting of Fraud or Corruption

Allegations and concerns about fraudulent or corrupt activity may come from various sources including employees, vendors, members of the public, results of internal or external audit reviews, or from any other interested parties.

All employees and officers have a duty to report concerns they have or information provided to them about the possible fraudulent or corrupt activity of any officer, employee, vendor or any other party with any association with the Town. Any person who has a reasonable basis for believing fraudulent or corrupt acts have occurred has a responsibility to report the suspected act immediately.

Concerns should be reported to any of the following:

- Town Manager
- Selectmen
- Department Head
- Employee's immediate supervisor

Retaliation and retribution will not be tolerated against any employee or officer who reports suspected fraudulent or corrupt activities. However, if an employee is determined to have acted maliciously or with deceit, the employee will be subject to disciplinary action.

All reports will be taken seriously and will be investigated by internal audit staff, law enforcement and/or legal department who will be appointed by the Town Manager or the Selectmen when necessary. If deemed necessary, the Town will notify and fully cooperate with the appropriate law enforcement agency. Any investigation resulting in the finding of fraud or corruption will be referred to the Town Manager and the Town Attorney for action. Fraudulent or corrupt activities that result in disciplinary action will be reported to the Selectmen.

Deterring Fraud and Corruption

The Town has established internal controls, policies and procedures in an effort to detect, deter, and prevent fraud and corruption. All new full time employees are subject to background investigations including a criminal and financial background check. All temporary, part-time, and seasonal employees may be subject to a criminal background check based on position and possible duration of employment. The Town may also verify all applicants' employment history, education and personal references prior to making an offer of employment. **All employees and /or volunteers who are working with children under the age of eighteen (18) will be required to have a fingerprint check done prior to hire or appointment.**

When necessary, contractual agreements with the Town may contain a provision prohibiting fraudulent or corruptive acts and will include information about reporting fraud and corruption.

New employees will receive this policy as part of their training.

Corrective Action

Final determination regarding action against an employee found to have committed fraud or corruption will be made by the Town Manager.

Offenders at all levels of the Town will be treated equally regardless of their position or years of service with the Town. Determinations will be made based on a finding of facts in each case, actual or potential damage to the Town, cooperation by the offender and legal requirements.

Depending on the seriousness of the offense and the facts of each individual case, action against an employee can range from written reprimand and a probationary period to legal action – either civil or criminal. In all cases involving monetary losses to the Town, the Town will pursue recovery of losses.