



—◆—
**HUMAN RESOURCE POLICY MANUAL
FOR
YORK COUNTY, MAINE**
—◆—

Adopted by York County Commissioners on December 4, 2013

TABLE OF CONTENTS

	Page
<u>Introduction</u>	
Purpose of Manual	5
Preparation and Distribution of Policies	6
<u>Section 1- What We Believe</u>	7
Mission Statement	8
Equal Employment Opportunity Statement	9
Statement Against Harassment	10
Drug and Alcohol Free Workplace	13
Employer Employee Relations	14
Code of Ethics	15
<u>Section 2- General Policies of Employment</u>	23
Employment Categories	24
Recruitment and Hiring Procedures	26
Methods of Employment and Hiring	28
Medical Examinations (Sheriff's Department)	29
Employment of Relatives	29
Employee Orientation	30
Reference Inquiries	30
Promotion and Transfer Opportunities	31
Continuous Service/Seniority	32
Attendance and Absences	32
Unsatisfactory Work Performance	34
Voluntary and Involuntary Termination of Employment	36
Layoff and Recall Procedures	37
Safety and Health	38
Accident and Injuries	39
Modified-Duty	40
Behavior of Employees	41
<u>Section 3-Other Policies of Employment</u>	44
Hazardous and Toxic Substances	45
Problem Resolution	46
Sexual Harassment Complaint Procedure	48
Parking for Employees	49
Personal Telephone Calls and Mail	50
Solicitation and Distribution of Material	51
Smoking and Tobacco	51
Employee Lockers	52
Employee's Personal Property	52

	Page
Personal Property and Expectation of Privacy	52
Social Media Policy	53
Computer Usage	55
Use of County Equipment and Supplies	59
Outside Employment	59
Adverse Weather Conditions	60
Strikes	60
Firearms	61
<u>Section 4- Compensation and Pay Practices</u>	<u>62</u>
Pay Ranges for Elected Officials	63
Compensation Plan	64
Job Descriptions	64
Performance Appraisals	64
EMA Compensation During State of Emergency	64
Pay Day and Methods of Payment	65
Time Recordings	66
Payroll Deductions	67
Overtime Pay	68
Compensatory Time	68
Call-Back Work and Pay	69
Advances Against Wages	69
Work Week and Work Schedule	69
Paid Rest Periods	70
County Office Hours	71
Garnishment or Attachment of Salary	71
Personnel Files	71
Use of Personal Vehicles	72
Training	72
Proper Dress	72
<u>Section 5- Employee Benefits and Leave Plans</u>	<u>74</u>
General Statement	74
Educational Assistance	75
Holidays	75
Paid Time Off Policy (PTO)	76
Vacation Time	77
Health Insurance Program	77
Group Dental Program	78
COBRA	78
Group Life Insurance	79
Flexible Spending Account	80
Retirement Plans	81

Short Term and Long Term Disability Insurance	82
Personal Leave of Absence	83
Family and Medical Leave Policy (FMLA)	85
Military Leave	92
Bereavement Leave	96
Jury Duty	96
Leaves for Victims of Violence	96
Workers' Compensation Insurance	97
Unemployment Compensation Insurance	99
Social Security	99
Benefit Status During Temporary Layoff	100
Benefit Coverage When Employees Are Terminated (Voluntary and Involuntary)	100

PURPOSE OF MANUAL

The Table of Contents at the beginning of this Human Resource Manual provides reference to major human resource policy categories. Each category has been broken down into sub-categories to allow for an orderly arrangement of material.

These policies have been approved by the County Commissioners with the support of the County Manager. These policies are applicable to all volunteers and employees of York County, including those elected and appointed, union and non-union and County Officers, except where these provisions are clearly contrary to the inherent and historical authority of elected public officials. Deviations, modification and changes from or expansion of the policies and procedures may be made at any time with the approval of the County Commissioners.

These policies for human resource management are constantly subject to change and further development. Each Department Leader can assist in keeping these policies up-to-date by notifying the Director of Human Resources whenever problems are encountered or improvement can be made. Suggestions for changes and/or additions should be submitted to the Director of Human Resources. These suggestions should be in writing, and should reference the policy/procedures that they effect (if applicable).

The scope of these policies refers to all County employees, both union, non-union, volunteers, elected and appointed. Department Leaders, managers and all other employees, whether or not employed by contract, are expected to also adhere to the policies, policies or procedures outlined in this manual.

Where polices and procedures, outlined in this manual, differ from existing union contracts, the union contract shall be controlling. In instances not addressed by existing union contracts, all employees are expected to adhere to the polices and procedures set forth in this manual.

It is recognized that there may be a need to establish and maintain departmental rules of conduct and procedures, especially in the emergency services area. In case of conflict between these rules and policies and those of a specific department, these rules and policies shall be controlling unless the departmental rules and revisions have received approval by the County Commissioners, except for the Sheriff's Department where the Sheriff may issue rules, regulations, and policies governing operations of the Department.

Every reasonable effort should be made to insure maximum compatibility between these and departmental rules.

PREPARATION AND DISTRIBUTION OF POLICIES

The County's Human Resource policies are developed to ensure responsibility and consistency throughout the workplace. Clear policies will provide more time to the important considerations of planning and direction and, thus, improve the overall effectiveness of the management team and other employees toward attainment of the general business and human relations objectives of the County.

The County Manager shall review future Human Resource policies. Amendments to existing policies will also be subject to review by the County Commissioners and County Manager.

All policies, once agreed upon, will be circulated to all Department Leaders. The County Manager and each Department Leader will endeavor to implement these policies.

Section 1 – What We Believe

YORK COUNTY GOVERNMENT VALUES

- ❖ **Leadership (regional)**
- ❖ **Effectiveness**
- ❖ **Accountability**
- ❖ **Responsiveness**
- ❖ **Knowledge**
- ❖ **Compassion**
- ❖ **Competency**

MISSION STATEMENT

A coordinated, cost-effective organization committed to enhancing quality of life by providing specialized services to aid, protect and support our residents and visitors.

EQUAL EMPLOYMENT OPPORTUNITY STATEMENT

The County provides equal employment opportunities (EEO) to all employees and applicants for employment without regard to race, color, religion, gender, sexual orientation, national origin, age, disability, genetic information, marital status, amnesty, status as a covered veteran or any other legally protected category in accordance with applicable federal, state and local laws. The County complies with applicable state and local laws governing non-discrimination in employment in every location in which the County has facilities. This policy applies to all terms and conditions of employment, including, but not limited to, hiring, placement, promotion, termination, layoff, recall, transfer, leaves of absence, compensation, and training.

The County expressly prohibits any form of unlawful employee harassment based on race, color, religion, gender, sexual orientation, national origin, age, genetic information, disability, veteran status, or any other legally protected category. Improper interference with the ability of County employees to perform their expected job duties is absolutely not tolerated.

REASONABLE ACCOMMODATION

In all employment practices, the County makes every effort to ensure that it does not discriminate against qualified individuals who have a disability. As a result, in response to any request for a reasonable accommodation from an applicant or an employee who is a qualified individual with a disability, the County will engage in an interactive process. In the course of that process, the County will seek reasonable accommodations for the qualified individual with a disability that does not result in undue hardship on its operations. The County will be guided by the applicable law and regulations in making any decisions on requested reasonable accommodations. Any applicant or employee who believes that there has been a violation of the County's policy or any applicable law relating to accommodating a person with a disability should immediately contact the County Manager or Designee.

STATEMENT AGAINST HARASSMENT

The County recognizes the dignity of the individual employee and the right of employees to work in an environment that is free of intimidation and harassment. Such intimidation or harassment based on race or color, sex, sexual orientation, physical or mental disability, religion, age, ancestry or national origin, whistleblower activity, previous assertion of a claim or right under the Maine Workers' Compensation Act, marital status, genetic information or any other legally protected category is a violation of County policy. Because such harassment seriously undermines the integrity of the work place and adversely affects employee morale, it is unacceptable and will not be tolerated. In addition, it is considered grounds for disciplinary action up to and including discharge. Harassment based on race or color, sex, sexual orientation, physical or mental disability, religion, age, ancestry or national origin, whistleblower activity, previous assertion of a claim or right under the Maine Workers' Compensation Act, genetic information or any other legally protected category may also constitute illegal employment discrimination.

Examples of harassment related to race or color, sex, sexual orientation, physical or mental disability, religion, age, ancestry or national origin, whistleblower activity, previous assertion of a claim or right under the Maine Workers' Compensation Act, marital status, genetic information or any other legally protected category include the following, which may be a series of incidents or a single occurrence:

- Unwelcome sexual advances, gestures, comments, or contact;
- Threats;
- Offensive jokes;
- Subjecting employees to ridicule, slurs, or derogatory actions;
- Basing employment decisions or practices on submission to such harassment;
- Refusal to cooperate with employees in performing work assignments;
- Inequitable disciplinary actions and work assignments.

Further examples of sexual harassment include: behavior that is verbal and sexual in nature – such as comments about a person's looks, personal inquiries, sexual jokes, use of derogatory sexual stereotypes, uttering sexually suggestive sounds, writing sexual notes staring or leering at someone's body, deliberate blocking of a person's path; or physical – such as pinching, grabbing, sexual assault or any physical contact of a sexual nature.

As a matter of County policy, any behavior of a sexual nature in the workplace is considered unprofessional regardless of whether it constitutes illegal sexual harassment. Similarly, any conduct that degrades, ridicules or otherwise draws unwanted attention to any employee or other person having dealings with the County on the basis of race or color, sex, sexual orientation, physical or mental disability, religion, age, ancestry or national origin, whistleblower activity,

previous assertion of a claim or right under the Maine Workers' Compensation Act, marital status, genetic information or any other legally protected category is considered unprofessional regardless of whether it constitutes unlawful harassment. Such unprofessional conduct will not be tolerated in the work place because it undermines morale, interferes with performance and demeans its victims. Each employee is personally responsible for compliance with this policy.

As part of their supervisory responsibilities, Department Leaders and supervisors are required to actively prevent or stop inappropriate, unprofessional conduct in the workplace regardless of whether the conduct rises to the level of illegal harassment. If they become aware of any such conduct occurring, they must take immediate and appropriate corrective action, including discipline, to end the conduct. Corrective action is required regardless of whether a complaint is made or the conduct appears to be unwelcome.

The County Manager or designee should be consulted for advice and direction and must be contacted if a complaint is received, even if the complainant requests that no action be taken. Department Leaders and supervisors who fail to fulfill their obligations under this policy will be subject to disciplinary action, up to and including discharge.

Definitions

"*Sexual harassment*" is defined as unwelcome sexual conduct that is a term or condition of employment. Unwelcome sexual conduct is sexual harassment when submission to such conduct is expressly or implicitly made a term or condition of employment.

"*Quid pro quo*" harassment occurs when submission or rejection of such conduct is used as the basis for employment decisions affecting an individual, such as promotions in exchange for sexual favors, or an unfavorable change of duties in response to rejected sexual advances.

"*Hostile Work Environment.*" Unwelcome sexual conduct, which unreasonably interferes with an individual's work performance or creates an intimidating, hostile or offensive working environment also constitutes illegal sexual harassment. Conduct, which is not sexual in nature, may still create a sexually hostile work environment if it is based on the victim's gender. Such conduct may include excluding or isolating employees, tampering with belongings or equipment, or physical or verbal abuse based on gender.

This policy applies to:

- Co-workers, supervisors, volunteers, elected officials
- Outside parties having dealings with the County (i.e., citizens, vendors, contractors)
- Interactions between individuals of the same sex as well as of the opposite sex
- Interactions in the workplace during work hours as well as outside activities related to the workplace (i.e., parties, trips, conferences)

Complaint Process

The County is committed to preventing harassment prohibited by this policy through education and dissemination of information as well as employee accountability. Such harassment may be reported by any employee, regardless of whether that employee is the recipient of the harassment, a witness or otherwise becomes aware of harassment prohibited by this policy.

Internal complaints may be filed by contacting any of the following individuals:

1. A Department Leader in the chain of command
2. Greg Zinser at 207-459-2312 or
3. Jennifer Kern at 207-324-8001

Although every attempt will be made to resolve complaints at the lowest possible level, if an investigation is warranted, it will be conducted promptly and with as much confidentiality as possible, respecting the rights of all parties involved. All employees are expected to cooperate in any departmental investigation of harassment.

In addition to initiating the internal complaint procedure, employees covered by collective bargaining agreements may file a grievance through the applicable grievance procedure. A discrimination complaint alleging harassment on the basis of race or color, sex, sexual orientation, physical or mental disability, religion, age, ancestry or national origin, whistleblower activity, previous assertion of a claim or right under the Maine Workers' Compensation Act, genetic information or any other legally protected category may also be submitted to the Maine Human Rights Commission at any time within 300 days of the alleged discriminatory incident. It is not required that any of the above procedures be utilized first or in any sequence, nor is it required that any procedure be exhausted before the other is used.

For more information, contact:

Maine Human Rights Commission: 207/624-6050

Equal Employment Opportunity Commission: 1-800-669-4000

Retaliation

Any form of retaliatory action or threat or suggestion of retaliation by either employees or supervisors against any person filing a complaint under this policy or assisting in an investigation is a violation of County policy. Any discriminatory action against any individual because the individual has opposed a practice that would be a violation of the Maine Human Rights Act, Title VII, the Americans with Disabilities Act, or the Age Discrimination in Employment Act or because the individual has made a charge, testified or assisted in any investigation, proceeding or hearing under the Maine Human Rights Act, Title VII, the Americans with Disabilities Act or the Age Discrimination in Employment Act is

illegal. A complainant is protected from retaliation regardless of the merits of the original complaint. Retaliation should be reported in the same manner as described above for complaints of harassment and will be promptly investigated. Such retaliatory conduct will be grounds for disciplinary action.

DRUG AND ALCOHOL FREE WORKPLACE

The County is committed to providing a drug and alcohol free, healthful and safe environment for all employees, volunteers and citizens.

The unlawful manufacture, distribution, dispensation, possession or use of a controlled substance, and the unauthorized possession or use of alcoholic beverages on the County premises is prohibited. If it is determined that an employee violates this commitment, disciplinary action up to and including termination of employment and referral for prosecution may result.

The County will not sponsor any events where alcohol is served.

Failure to meet the County's expectations of behavior and performance, failure to seek assistance where warranted or to comply with this substance abuse guideline will result in disciplinary action up to and including termination of employment.

The use of physician-prescribed drugs or other medications in the manner, quantity or combination prescribed by an employee's physician is not prohibited by this policy.

If the County has a reasonable belief that an employee has violated this commitment, the County reserves the right to inspect desks, lockers, lunch boxes and other employee areas and property.

Such inspection will not be conducted without prior approval of the County Manager or designee.

EMPLOYER-EMPLOYEE RELATIONS

It is the intent of the County to orient its employees about the fundamental principles, mutual rights and obligations comprising the relationship of employment between the County and its employees and volunteers.

In its continuing effort to implement fair and effective human resource policies and practices, the County endeavors:

- a) To employ people on the basis of their qualifications and with assurance of equal opportunity and treatment regardless of race, religion, color, sex, age, handicap, national origin, sexual preference or any other legally protected category;
- b) To provide wages and employee benefits which bear a fair and reasonable relationship to the work performed;
- c) To establish reasonable hours of work;
- d) To maintain safe and healthful working conditions;
- e) To place employees in the kind of work best suited to their abilities;
- f) To welcome constructive suggestions which relate to methods policies, procedures, working conditions, and the nature of the work performed;
- g) To establish procedures for employees to discuss freely any matter of interest or concern with their immediate Manager or Department Leader; and
- h) To permit each employee as much discretion and responsibility as is consistent with a well-coordinated and effective operation.

The County expects all employees:

- a) To give full and productive work to the best of their abilities and skills;
- b) To arrive at their department and begin work on time;
- c) To demonstrate a considerate, friendly, and constructive attitude toward fellow employees and citizens; and
- d) To respect and follow all the policies and procedures of the County.

CODE OF ETHICS

The proper operation of County government requires that County Officers and County Officials and their appointees be fair, impartial and responsive to the needs of the people and each other in the performance of their respective functions and duties; that decisions and policy be made in proper channels of the County's governmental structure; that public office not be used for personal gain; and that County Employees, County Officers and County Officials and County appointees maintain a standard of conduct that will inspire public confidence in the integrity of the County's government. In recognition of these goals, a Code of Ethics is hereby established for all County Employees, County Officers, County Officials, and all County Boards, Committees now existing or hereafter created pursuant to the authority granted by Title 30-A, Section 101(6-A).

Definitions.

1. Committee and Board: All statutory and non-statutory Committees and Boards now existing or hereafter created by the County Commissioners, state legislature or County Official by any statute, order or resolve.
2. County Officer: "County Officers" means the commissioners, treasurer, sheriff, register of deeds and register of probate of a county.
3. County Official: "County Official" means an elected or appointed member of a county government.
4. Committee or Board Member: Any person elected or appointed to membership on a County Committee or Board.
5. County Employee: Any individual working for, on a permanent, casual or temporary basis, and drawing an hourly wage or salary from the County of York. The term "County Employee" shall not include outside consultants or professional personnel providing services to the County as independent contractors under a written professional services contract or other similar engagement.
6. Immediate Family: Spouse, and the following when living in the household of a County Employee, County Officer, County Official, Committee or Board Member: children, parents, brothers and sisters.
7. Financial Interest: A person has a financial interest if the person has, directly or indirectly, through business, investments, or family:
 - a. An ownership or investment interest in any entity with which the County has a transaction, contract, monetary grant or award.
 - b. A compensation arrangement with the County or with any entity or individual with which the County has a transaction, contract, monetary grants or award.
 - c. A potential ownership or investment interest in, or compensation arrangement with, any entity or individual with which the County is negotiating or has under consideration a transaction, contract, monetary grant or award.

8. Special Interest: A direct or indirect interest having value peculiar to a certain individual or group, whether economic or otherwise, which value may accrue to such individual or group as a result of the passage or denial of any order, ordinance or resolution or the approval or disapproval thereof, by the County Commissioners, Committee or Board which interest is not shared by the general public.
9. County Commissioner: For purposes of this Code references to the County Commissioner shall be construed to be the County Commissioner's of the County of York and any of the committees, boards or subcommittees thereof.

Standards of Conduct: The purpose of this Code is to establish ethical standards of conduct for all County Employees, Officials, Officers, Committee and Board Members by setting forth those acts or actions deemed to be in conflict or incompatible, or to create the appearance of conflict or incompatibility, with the best interests of the County of York.

Statutory Standards. There are certain provisions of the general statutes of the State of Maine which should, while not set forth herein, be considered an integral part of this Code. Accordingly, the provisions of the following sections of the general statutes of the State of Maine, as may be amended, are hereby incorporated by reference and made a part of this Code of Ethics, and shall apply to all County Employees, Officials, Officers, Committee and Board Members of the County of York whenever applicable.

Conflicts of Interest

Conflict: If there is a conflict between the Code and any statutory provision, the higher standard specified by the Statute or Code shall prevail.

Contracts, Purchases and Employment

(A) No County Employee, Officer, Official, Board Member or Committee Member shall participate directly by way of deliberation, approval or disapproval, or recommendation, in the purchase of goods and services for the County, and the award of any contracts with the County, except as permitted under the laws of the State of Maine, where to his knowledge there is a financial interest, or special interest other than that possessed by the public generally, in such purchase or award, held by:

- (i) that individual or a member of his or her immediate family;
- (ii) a business in which that individual or a member of his or her immediate family serves as an officer, director, trustee, partner or employee in a supervisory or management position; or
- (iii) any other person or business with whom that individual or a member of his or her immediate family are in business, or are negotiating or have an arrangement concerning future employment.

(B) No County Commissioner, Officer, Official, Board Member or Committee Member shall participate by means of deliberation, approval or disapproval, or recommendation, in the decision to hire, promote, discipline, lay off or to take any other personnel action in respect to any applicant for County employment or County employee, where said applicant or employee is:

- (i) a member of the Committee, Board Member, or Committee Member's immediate family; or
- (ii) a person with whom either the Commissioner, Board Member, Committee Member or a member of his or her immediate family is in business.

(C) Except as authorized under the County's published Personnel Rules and Regulations, no County Employee shall participate by way of deliberation, approval or disapproval, or recommendation, in the decision to hire, promote, discipline, lay off or to take any other personnel action in respect to any applicant for County employment or County Employee, where said applicant or employee is:

- (i) a member of the County Employee's immediate family; or
- (ii) a person with whom either the County Employee or his or her immediate family is in business.

Action by a County Employee shall be deemed authorized under this subsection when such action is permitted under the County's published Personnel Rules and Regulations, or when the County Commissioner has waived those rules so as to allow creation of a supervisory relationship that would otherwise violate the published rules.

Disclosure of Confidential Information. No County Employee, Officer, Official, Board Member or Committee Member shall, without proper legal authorization, disclose confidential information concerning the property, government or affairs of the County; nor shall he or she use such information to advance his or her financial or private interest or the financial or private interest of others. For purposes of this subsection, the term, "confidential information" shall mean any information, oral or written, which comes to the attention of, or is available to, such County Employee, Commissioner, Board Member or Committee Member only because of his or her position with the County, and is not a matter of public record. Information received and discussed during an executive session of the Commissioner's or any County Board or Committee called pursuant to 1 MRSA §§ 405 et seq. shall be considered within the constraints of this section, and shall not be disclosed to any third party unless permitted by affirmative vote of such body.

Gifts and Favors. No County Employee, Commissioner, Officer, Official, Board Member or Committee Member shall accept any gift, favor or thing of value, whether in the form of service, loan, thing or promise, from any person or business which to his or her knowledge is interested directly or indirectly in any manner whatsoever in business dealings with the County; nor shall any County Employee, Commissioner, Officer, Official, Board Member or Committee

Member: (1) accept any gift, favor or thing of value that tends to influence that individual in the discharge of his or her official duties; or (2) grant in the discharge of his or her official duties any improper favor, service or thing of value. Nothing herein shall prohibit the acceptance of gifts or favors by County Employees, Commissioner, Officer, Official, Board Members or Committee Members from members of their immediate families. In determining whether a violation of this subsection has occurred the Commissioners shall consider the monetary or pecuniary value of the gift, favor or thing received; any special economic value the gift, favor or thing received may have to the recipient; the circumstances under which the gift, favor or thing concerned was received; and whether a public disclosure of the receipt was made by the recipient at the time.

Use of County Property. No County Employee, Commissioner, Board Member or Committee Member shall use or permit the use of any County-owned property, including but not limited to, motor vehicles, equipment and buildings, for any private purposes. Nothing herein shall prohibit the use of County buildings and equipment at rates and/or on terms as may be established. Nothing herein shall prohibit the use of County equipment or motor vehicles by County Employees in accordance with written policies established by the Commissioner, Officer, or Official, nor shall this Code be deemed to prohibit private use of surplus County property legally disposed of by the County or its departments in compliance with established procedures.

Representing Third Party Interest Before County Agencies.

(A) No County Employee shall appear on behalf of any third party interest before any County agency, or represent a third party interest in any action, proceeding, or litigation in which the County or one of its agencies is a party. Nothing herein shall prohibit any County Employee from appearing as a witness when duly called by a party for the purpose of giving non-privileged testimony before any County agency, Board, Committee or in any such action, proceeding or litigation. Nothing herein shall prohibit any County Employee, on behalf of his or her personal interest, from appearing before any County agency, Board or Committee. "Personal interest" shall include, for this purpose, any interest of the County Employee concerned as a resident, landowner, or taxpayer affected by the matter under consideration.

(B) No County Commissioner, Officer, or Official shall either appear on behalf of any third party interest before any County agency, Board or Committee, or represent a third party interest in any action, proceeding, or litigation in which the County is a party. Nothing herein shall prohibit a Commissioner, Officer or Official, on behalf of a constituent in the course of his or her duties as a representative of the electorate or on behalf of his or her personal interest, from appearing before a County agency, Committee or Board.

(C) No Board or Committee Member shall appear on behalf of any third party interest before a County agency, Board or Committee of which he or she is a current member. Nothing herein shall prohibit a Board or Committee Member, on behalf of his or her personal interest, from appearing before any County agency

including that of which he or she is a current member, but such Board Member or Committee Member shall not deliberate or vote on the item concerned.

Conflicts of Interest.

(A) Deliberation and Vote Prohibited. No County Commissioner, Officer, Official, Board Member or Committee Member shall, in such capacity, participate in the deliberation or vote, or otherwise take part in the decision-making process, on any agenda item before his or her collective body in which he or she or a member of his or her immediate family has a financial or special interest, other than an interest held by the public generally.

(B) Disclosure of Conflict. Any County Commissioner, Officer, Official, Board Member or Committee Member who believes that he or she or a member of his or her immediate family has a financial or special interest, other than an interest held by the public generally, in any agenda item before his or her collective body, shall disclose the nature and extent of such interest and the County Manager or designee shall make a record of such disclosure.

Such disclosure shall be made no later than the date of the first meeting of the County Commissioners, Board or Committee thereof, at which the agenda item concerned is to be taken up for consideration, recommendation, discussion or vote and at which the County Commissioner, Board Member or Committee Member is present. Additionally, any County Commissioner, Officer, Official, Board Member or Committee Member who believes that any fellow County Commissioner, Officer, Official, Board Member or Committee Member, or a member of such fellow Member's immediate family has a financial or special interest, other than an interest held by the public generally, in any agenda item before his or her collective body, shall disclose the nature and extent of such interest, and the County Manager or designee shall make a record of such disclosure.

(C) Determination of Conflict. Once the issue of conflict has been raised relative to an individual Member, and disclosure has been made as provided above, such individuals fellow Members shall review the facts as disclosed to them, and shall vote on whether or not such individual has a financial or special interest with respect to the agenda item concerned. All conflict of interest questions relating to a particular agenda item shall be resolved prior to any consideration of the item concerned, and each Commissioner, Committee Board Member present shall be entitled to vote on all conflict of interest questions except those questions pertaining to that individual Commissioner, Committee Member or Board Member's alleged conflict of interest.

All votes of conflict of interest questions shall be recorded. A majority vote shall determine the question; but a vote by Committee may later be reviewed, modified or reversed by the County Commissioners upon the County Commissioner's consideration of the same agenda item. The action taken by a Committee where a member with a financial or special interest participates in the negotiation or award of a contract or participates in the vote on a question before the Committee is voidable as provided in Section 3.11(C).

Upon determination that a conflict of interest in fact exists, the County Commissioner, Officer, Official, Board Member or Committee Member concerned shall be excused from participating in discussion, deliberation or vote on the relevant agenda item.

(D) Avoidance of Appearance of Conflict. To avoid the appearance of a violation of this section, once any individual County Commissioner, Officer, Official, Board Member or Committee Member is determined to have a conflict of interest in respect to any agenda item, and once all conflict of interest questions relating to the agenda item concerned have been determined as provided in Section 3.7(C) above, said individual shall immediately remove himself or herself from the meeting room or to the area of the room occupied by the general public. He or she shall not return to his or her regular seat as a member of the body until deliberation and action on the item is completed. Nothing herein shall require an individual Commissioner, or Board Member or Committee Member to remove him or herself for any item contained on a "Consent Agenda", on which there is no deliberation, the other members have determined the individual's conflict, and the right to abstain from voting on the item has been granted.

(E) Personal Interest. Nothing herein shall be construed to prohibit any County Commissioner, Officer, Official, Board Member or Committee Member from representing his own personal interest by appearing before his or her collective body on any such agenda item.

Disclosure Statement. Within fifteen (15) days after each County election every Commissioner shall file a completed disclosure form with the County Manager or designee. Within thirty (30) days after his or her appointment or election, every Board Member and every Committee Member shall file a completed disclosure form with the County Manager or designee. Such forms shall be under oath and shall contain the following information to the best of the disclosing party's knowledge and belief:

- The name of each person or entity, whether incorporated or not, doing business with the County in an amount in excess of \$1,000 during the preceding calendar year from which such disclosing party or member of his immediate family has received money or other thing of value in an amount in excess of \$1,000 during the preceding calendar year, including, but not limited to, campaign contributions where applicable.
- The name of each entity, whether incorporated or not, doing business with the County in an amount in excess of \$1,000 for preceding calendar year in which such disclosing party or member of his immediate family has a financial interest in an amount in excess of \$1,000, including, but not limited to, the ownership of shares of stock.
- The name of each nonprofit and/or for profit entity, whether incorporated or not, for which such disclosing party or member of his immediate family holds a position of officer or member of any board. For each such entity, such disclosing party shall provide the following information:
 - (i) a brief description of the purpose of each board and/or office;

(ii) a short summary of such disclosing party's or family member's duties relative to any such board and/or office;

(iii) the term of service on each such board and/or office; and

(iv) whether or not such disclosing party or family member receives compensation for service on such board and/or office and the extent to which such compensation exceeds \$100 in the aggregate annually.

For purposes of this subsection "compensation" shall include, but not be limited to, monetary compensation, gifts, gratuities, perks, fringe benefits, services, and any other thing of value.

- Every County Commissioner, Officer, Official, Board Member or Committee Member shall amend his annual disclosure statement as may be required from time to time to ensure the continued accuracy thereof. Each such amendment shall be made within fifteen (15) days following the occurrence, which requires the amendment.
- The County Manager or designee shall deliver a copy of each completed disclosure statement to every fellow member of the Commissioner, Board or Committee of each disclosing party within thirty (30) days after the expiration of the filing period.
- For purposes of this Code, a list prepared by the Finance Director of those persons or entities doing business with the County in an amount in excess of \$1,000 for the preceding year shall be determinative for purposes of reporting under this section. Income from, and financial investments in, policies of insurance, and deposits in accounts from commercial or savings banks, savings and loan associations, or credit unions and the ownership of less than 5% of the outstanding shares of stock in a publicly held corporation shall not be considered to be a financial interest within the meaning of this section.

Political Activities. No County Employee, Commissioner, Board Member or Committee Member shall participate in any political activity, which would be in conflict or incompatible with the performance of his or her official functions and duties for the County. In conjunction therewith:

- No County Employee, Commissioner, Officer, Official, Board Member or Committee Member may use his or her official authority or position for the purposes of influencing or interfering with or affecting the results of any election, nor shall he or she solicit funds or contributions or accept or receive funds or contributions from County Employees for political purposes. No County Commissioner, Officer, Official, Board Member or Committee Member may distribute pamphlets or handbills while he or she is performing official functions and duties with the County. Nothing herein shall be construed to prohibit an individual from participating in the political process in their private capacity as candidates for elected office or as private citizens.

Prohibition Against Contingent Fees.

It shall be a violation of this Code for a person to be retained, or to retain a person, to solicit or secure a County contract upon an agreement or understanding for a commission, percentage, brokerage, or contingent fee, except for retention of bona fide employees or bona fide established commercial selling agencies for the purpose of securing business.

Recovery of Value Transferred or Received in Breach of Ethical Standards, Other Penalties.

General Provisions. The value of anything transferred or received in breach of the ethical standards of this Code by a County Commissioner, Officer, Official, Board Member or Committee Member or other person may be recovered from member concerned and from the other person concerned.

Recovery of Kickbacks by the County. Upon a showing that a subcontractor made a kickback to a prime contractor or a higher tier subcontractor in connection with the award of a subcontract or modification or change order, it shall be conclusively presumed that the amount thereof was included in the price of the subcontract, modification, or change order and ultimately borne by the County and such amount shall be recoverable hereunder from the recipient. In addition, that amount may also be recovered from the subcontractor making such kickbacks. Recovery from one offending party shall not preclude recovery from other offending parties.

Actions Voidable. In the absence of actual fraud, which makes an action void, the participation of a County Employee, Officer, Official, Board Member or Committee Member in the negotiation or award of a contract or the vote on a question before the Committee, makes the action voidable if the County Employee Officer, Official Board Member or Committee Member fails to disclose a financial or special interest as required by Section 3.7 and 3.8.

Penalties. In addition to any other penalties or remedies as may be provided by law, violation of this Code shall constitute cause for censure, after notice and hearing conducted by the County Commissioners. A majority of the County Commissioners shall conduct such proceedings. A violation of this Code by a County Employee shall also constitute proper grounds for dismissal or other disciplinary action as provided in the County's published Personnel Rules and Regulations.

Separability. If any section, subsection, sentence, clause or phrase of this Code is for any reason held to be invalid or unconstitutional, such validity or unconstitutionality shall not affect the validity or constitutionality of the remaining portions of this Code.

Section 2 - General Policies of Employment

EMPLOYMENT CATEGORIES

In order to effectively and efficiently manage the employment resources, a series of employment categories has been developed to identify the type of position held by each staff member. The County Manager or designee uses these categories to determine those benefits for which each staff member may be qualified.

At the time of hire, each new employee will usually be informed of his or her employment category.

Definitions:

1. **Regular Full-Time Employee** - A regular full time employee is one who has satisfactorily completed the probationary period and has been retained by the County on a regular full-time work shift of 37.5 or more hours per week, not including time spent on meals or breaks.
2. **Regular Part-Time Employee** - A regular part-time employee is one who has satisfactorily completed the probationary period and has been retained by the County on a schedule normally seeking work for 20 or more hours a week but less than 29 hours during the work week.
3. **Casual/Temporary Employee** - A temporary employee is one who is employed on a job requiring varied hours or one who has been hired to work full-time or part-time with the understanding that the employment is temporary and will be terminated as of a specific date or upon completion of a specific assignment. In most cases, the length of time for which a temporary employee is hired will not exceed three months. In those rare cases when assignments must be extended beyond three months, approval must be obtained from the County Manager or designee. A casual employee is one who has satisfactorily completed the probationary period and has been retained by the County on a schedule normally seeking work for less than 20 hours per week.
4. **Seasonal Employee** – A seasonal employee is one who is employed on a job which is less than one year round and which shall be appointed for a period of time for which the project or task is known with fixed starting and ending dates, and shall be of less than a regular basis. Seasonal employees are not eligible to use and have no recourse to the complaint procedure of this personnel policy except for complaints of harassment, discrimination, retaliation or other allegedly unlawful conduct and/or as otherwise provided by Federal/State law.
5. **Reserve Employee** - A reserve employee is one who does not have a definite schedule of regular hours and whose employment is based upon need and not a

work schedule with the understanding the need for reserve work is usually intermittent in nature. Reserve employees are not eligible to use and have no recourse to the complaint procedure of this personnel policy except for complaints of harassment, discrimination, retaliation or other allegedly unlawful conduct and/or as otherwise provided by Federal/State law.

6. Probationary Employee – A probationary employees is one who may be employed on a full or part-time basis during the first six (6) months of employment or as otherwise specified in Maine law or an applicable collective bargaining agreement. (E.g., The probationary period for Law Enforcement Officers and Correctional Officers is twelve (12) months). For the purposes of this definition an employee promoted to a higher position within the County employment shall be deemed to be on a six (6) month promotional probation and he/she may voluntarily request demotion or the Department Leader may demote the promoted employee if the employee fails to fulfill the duties and responsibilities of the position. A demoted employee, who is not a member of the union, shall retain seniority rights. The County will consider moving the individual back to their former position or an equivalent one and will be compensated at their rate of pay in their former position. If no position is available, the employee will be placed on layoff. Members of the union shall follow the rules outlined in their contract. During the probation period, employees can be terminated for any reason. This does not apply to promotional probation employees.

7. Elected Officials- as defined in 30-A M.R.S. 1(2) are eligible for employee benefits as set forth in Section 5 except those benefits clearly inapplicable to individuals holding elected office or as otherwise determined by the Commissioners.

Benefits Program

Eligibility for coverage under the County's employee benefit programs has a direct relationship to an employee's Employment Category. This relationship is explained in the individual policies that have been adapted for each of the benefit programs and the respective union contracts. More specific policies should be referred to when answering questions for employees about their benefit status.

PLEASE SEE AMENDMENT:

Recruitment, Hiring
And Promotion

PLEASE SEE AMENDMENT:

Recruitment, Hiring
And Promotion

PLEASE SEE AMENDMENT:

Recruitment, Hiring
And Promotion

PLEASE SEE AMENDMENT:

Recruitment, Hiring
And Promotion

PLEASE SEE AMENDMENT:

Employment of Relatives

NO CHANGES TO ITEMS
ON THIS PAGE

EMPLOYEE ORIENTATION

The County Manager or designee will coordinate a formal orientation for all new employees. Formal orientation will usually involve a discussion of the County's history, mission, current status, and future intentions or plans, a tour of the facility, instructions in procedures to be followed in an emergency, and an introduction to the County's policies, procedures and safety program. At the formal orientation, a new employee will complete all necessary personal data questionnaires, tax forms, other required documents as well as discuss enrollment in the appropriate benefit plans.

In addition, the Department Leader or Manager or designee may conduct a department orientation for the new employee. At this session, a new employee may be introduced to co-workers and given a brief tour of the department. The Department Leader or Manager or designee will also brief the new staff member about the duties, responsibilities, facilities, work schedules, union contract, if applicable, and policies, policies and procedures of his or her new position as well as the responsibilities and nature of his or her work position within that office or department.

No employee will be allowed to begin work prior to attending the County's formal orientation. Only the County Manager or designee may make exceptions to this policy.

REFERENCE INQUIRIES

The County frequently receives phone calls, letters, and other forms of inquiry from outside sources asking for information about our employees.

Information Required by Law:

When an inquiry comes from an agency of the government and law or regulation authorizes the inquiry, the County must comply with the law or regulation and must respond to the inquiry, including the release the information demanded. The County Manager or designee will notify the employee involved that the inquiry has been received and that the County is required to comply with it.

Credit References:

These normally relate to an employee's application for a mortgage, a loan, retail credit, etc. The County will honor these requests only after receiving the employee's written approval to release the information.

PLEASE SEE AMENDMENT:

Recruitment, Hiring
And Promotion

CONTINUOUS SERVICE/SENIORITY

The County recognizes that promotional opportunity and job security may increase in proportion to length of continuous services with the County. Wherever practicable, consideration will be given to continuous service. However, the County's responsibility for efficient operation of the business and the ability to perform the work will be given primary consideration.

The County may give consideration to an employee's length of service when determining such matters as promotion, transfers, lay-offs, work assignments, etc. Nevertheless, the County reserves its right to determine such matters at its sole discretion. Other very important factors necessary to the successful operation of the business will also be considered. These include such factors as a person's skill, ability, training, experience, educational background, physical condition, work record, efficiency, productivity, etc.

Department Leaders should first consult with the County Manager or designee and the union contract, if applicable, when determining employee seniority rights, including computation of continuous service, benefit eligibility, and layoffs.

ATTENDANCE AND ABSENCES

Attendance at the County is essential to providing services to our citizens and maintaining equitable workload distributions for other employees. To this end, the County follows these policies to encourage attendance and to reduce its absentee rate to the lowest level possible.

All employees will be notified and will be made aware of the specific work schedules to which they have been assigned. It is expected as a condition of continuing employment that each individual employee will work the work schedule to which he or she has been assigned.

Each employee is expected to start work promptly and to continue working until the end of the work shift. Any employee who leaves his or her workstation before the end of the work shift, without proper authorization from his or her Manager will be subject to disciplinary action.

When an individual employee must be absent from work due to a compelling personal reason other than previously scheduled time off or for other legitimate cause and knows about such absence in advance, the employee must provide the Department Leader or Manager at least two (2) hours notice of his or her inability to report for his or her assigned shift. In situations where advance notice is not possible, the employee must immediately notify the Department Leader or Manager. When possible, the employee is expected to indicate the duration of

the absence. Further, the employee shall notify promptly the Department Leader or Manager whenever a change in the duration of the absence is anticipated.

A notification of an upcoming absence must be made directly to the Department Leader or Manager and scheduled accordingly unless absence is unplanned. The individual employee and not an agent must make the calls, unless an emergency situation makes this impossible. If the Department Leader or Manager cannot be reached for some reason, then the message must be left with another person of authority.

An absence, with proper notice, which falls into one of the following categories, is generally considered an excused absence:

- Personal illness (verified by doctor's certificate after 3 days of absence)
- Illness in family (verified by doctor's certificate after 3 days of absence)
- Occupational injury (Reported and accepted by the County)
- Jury duty
- Approved leave of absence (with medical certification, where applicable)
- Death in immediate family
- Scheduled vacation or holiday legally recognized by the County

An absence that does not fit into one of the above categories or where the employee fails to notify his or her Department Leader or Manager of the intended absence will generally be considered unexcused and may result in discipline unless the absence is otherwise protected by law such as family and medical leave, military leave, domestic violence related leave, and similar protected absences.

As indicated in the section entitled "Time Recording", an employee is not allowed to leave the premises during the work shift without the specific approval of the Department Leader or Manager. Employees may leave the premises during their lunch period.

If an employee is absent from work due to medical reasons and the absence lasts three or more working days, upon returning to work, the individual employee may be required to provide the County with a certificate from a doctor stating that the individual is able to resume work on the job. This requirement is to safeguard the health of the County's employees and visitors. The County may also require a medical certificate at other times if the circumstances warrant the imposition of such a request.

If an employee requests a medical leave, including a Family and Medical Leave (FMLA), the employee must provide the County a medical certification. Employees will have 15 calendar days to provide it. Employees can get the required medical certification form from the County Manager or designee.

To be clear, the County retains the right to place the employee on FMLA for a "qualified event".

The County may contact the employee's health care provider for purposes of clarification and authentication of the medical certification after the County has given the employee an opportunity to address any deficiencies. Individuals on FMLA may also be required to provide the County updated medical certifications during the course of a medical leave.

Employees are responsible for the cost of getting the certification from a health care provider and for making sure that the certification is provided to the County. If an employee fails to provide the requested medical certification, the FMLA leave may be denied.

Employees who are out of work for an extended period of time (beyond five days) are expected to regularly contact their Department Leader or Manager, by phone, and provide him or her an update on their anticipated return date.. Department Leaders should then update the County Manager or designee.

In the event that an employee did not have treatment by a doctor during an absence, the County reserves the right to arrange for an examination by a doctor so as to determine that the employee is medically fit to return to work.

Unless otherwise specified, all absences are without pay.

Absenteeism is serious because of its impact on the efficient operation of the County. Each Department Leader should follow up on every absence to determine that it was legitimate and necessary. A record of frequent absences, tardiness, or leaving work early may not be tolerated and may result in a disciplinary action, including termination.

UNSATISFACTORY WORK PERFORMANCE

Situations sometimes arise when an employee's job performance does not meet the required standards for the position which have been established by the County and/or which violates the policies at the County. Because unsatisfactory job performance can have serious consequences for an employee, including termination of employment, it is important that these situations be dealt with promptly.

On the onset of discipline, the Department Leader must notify the County Manager or designee.

The following guideline is for Department Leaders or Managers when dealing with unsatisfactory job performance. A progressive sequence of notice is designed to ensure that an employee is informed of situations, which may result in termination of employment, but, more importantly, that the behavior is changed and the employee has the opportunity to improve. The steps outlined below are

just a guideline and are intended to be modified and applied based on the individual facts and circumstances of each particular situation. As a result, steps may be skipped or combined based on the facts of each occurrence. Some actions and conduct may lead a more severe form of discipline earlier on in the process and the County reserves the right to take whatever level of discipline it deems appropriate under the circumstances.

1. Verbal Disciplinary Notice - The Department Leader or Manager will inform the employee of the nature of the unsatisfactory performance and will indicate the improvement necessary. The Department Leader or Manager should make a written notification of the discussion for his or her records to document that a verbal warning was given.
2. Corrective Memorandum - An employee may be given a Corrective Memorandum, which will state the nature of the unsatisfactory performance and what improvement is expected. The employee will be asked to sign and date a copy of the Memorandum confirming that it has been discussed and received, even if he or she may not agree with its content. If the employee refuses to sign, the Department Leader or Manager shall so note on the Memorandum. After the employee has signed the Memorandum notice, a copy will be sent to the County Manager or designee. Upon receipt of the Memorandum describing unsatisfactory job performance, the employee should know that his or her continued employment is in question.

Written disciplinary notices will be placed in the employee's file and will remain there for a period of eighteen months. A written disciplinary notice may be taken into account when decisions are made on promotions, transfers, layoffs and termination. At the end of that period, all disciplinary action notices, whether written or oral, will be removed from the employee's file and placed in a purged file where it will be kept for historical purposes.
3. Written Reprimand - If the expected improvement is not achieved within the time period specified in the Corrective Memorandum, a Written Reprimand will be issued. The Written Reprimand will be issued in the same manner as the Corrective Memorandum. If the Written Reprimand is issued and does not produce the required improvement in the staff member's performance in the time period specified, or if the problem recurs within one year, the employee may then be suspended.
4. Disciplinary Probation - If a written reprimand and counseling by the Department Leader or Manager fails to result in improving performance or behavior, the employee may be placed on disciplinary probation at the discretion of the Department Leader who shall forward notice of same to the County Manager or designee. The employee shall receive a written notice stating the reasons for the disciplinary probation, the effective date of such

action, and the length of it. The maximum length of a disciplinary probation shall be sixty (60) days. The employee will continue their duties.

5. Suspension – If the performance does not improve after following the steps outlined above or in cases of serious misconduct, the Department Leader or Manager may suspend an employee. Prior to any suspension of employment, the County Manager or designee will investigate the matter, present his or her findings to the Department Leader and a decision will be made as to whether the employee should be suspended.
6. Termination –Requests for termination must be presented to the County Manager or designee to ensure proper processes are followed.

If a union represents the employee, written notice of the termination will be sent to the Union Steward or the authorized agent of the union prior to the termination.

7. Right to Appeal - Probationary employees have no rights to appeal. Union contracts specify rights of the members of their respective bargaining units. Other than as specified in the collective bargaining agreements, decisions of County Manager or designee may be appealed to Commissioners.
8. The County will use its best judgment to determine what is necessary to achieve and maintain an appropriate level of conduct by its employees.

VOLUNTARY OR INVOLUNTARY TERMINATION OF EMPLOYMENT

Termination of employment occurs when an employee resigns, retires, is discharged or is fired. Layoff occurs when the person is separated due to economic reasons or when the position is eliminated.

An employee may resign from County service in “good standing”. “Good standing” shall mean the submittal of a written notice fourteen (14) calendar days in advance of the last day actually worked. The County Manager or designee may waive this period of notice if extenuating circumstances exist. The failure of a resigning employee to comply with this rule will be cause for denying future employment with the County.

The County Manager or designee may conduct a termination or exit interview not later than the employee's last working day, or earlier.

If any County property in the employee's possession has been lost or damaged, the cost of replacing such property may be deducted from the employee's final

paycheck. However, in the case of non-exempt, hourly employee, the amount deducted shall not reduce the employee's earnings for the final pay period below the current minimum wage.

The Department Leader is responsible for filling out the change of position form and getting this form to the County Manager or designee.

LAYOFF AND RECALL PROCEDURES

Layoffs are determined by the overall operational needs and budgetary limitations of the County as well as based on a consideration of the Union contracts if applicable.

Layoffs constitute a termination of employment by the County. The right to be rehired shall exist for a period of one (1) year from the date of layoff. If a vacancy occurs within one (1) year of an employee's layoff date from the position, the affected employee shall be notified of vacancy by the County Manager or designee prior to advertising for applicants provided they meet the qualifications of the position. Rehired employees within one (1) year from the date of layoff shall be restored to service with full seniority rights.

Laid off employees returning to County employment before the expiration of one year (365 days) since the last day of County employment will receive full credit for prior service.. The probationary period will not be waived.

Laid off employees will return to employment as probationary employees for the remainder of their probationary period.

For former York County employees returning to County employment AFTER one year (365 days) since last day of prior employment, will be considered as new employees and NO CREDIT for prior County service will be given. Probationary periods will not be waived.

SAFETY & HEALTH

Fire

Work areas should be kept clean and free of rubbish and other material that could be a potential fire hazard. Flammable and other potentially dangerous materials are to be stored and maintained in accordance with federal, state and local fire regulations.

Fire extinguishers are located in clearly marked spots throughout the premises. The extinguishers are checked once each month to make sure they are in proper working condition. They are also certified once a year. Department Leaders are responsible for showing employees under their supervision and each new employee where the extinguishers are located and for instructing employees in the proper use of the extinguishers. They are also responsible for reporting quickly any fire and for seeing that their employees and visitors to our facility know where the exits are located and that all their people are safely out of the building in the event of a fire.

Well-being

Employees are entitled to a safe and healthful place in which to work. The County's goal is to minimize human injury, illness, and property damage caused by accidents, fire or other hazards.

Each employee is expected to fully accept accountability for safety and health inherent in its operations, recognize hazards, anticipate possible risks, and then act to eliminate or control hazards or risks. Safety goes hand in hand with the County's goals of production efficiency and quality control. A good safety program enhances the County's opportunity to achieve these goals. Equally important, a good safety program, which is conscientiously implemented and enforced, avoids suffering and hardship resulting from injuries.

The County aims to:

- a) Develop and establish operating methods with consideration for safety and health;
- b) Maintain compliance with Federal and State agencies;
- c) Encourage and support employees safety training programs;
- d) Hold regular meetings to review and upgrade safety performance;
- e) Recognize achievements through inspection/auditing methods; and
- f) Take immediate action where necessary to improve safety conditions.

Each Department Leader and Manager is expected to:

- a) Give sincere, active and constant support to all safety activities and procedures;
- b) Instill a safety awareness in each employee;
- c) Teach each employee what the hazards are involved during his or her employment and how to avoid them;
- d) Assure that each employee is provided with the needed and appropriate safety equipment and protective devices, and to assure that the devices are used;
- e) Take prompt corrective action whenever unsafe conditions or acts are noted;
- f) Make regular safety appraisals of his or her assigned area; and
- g) Investigate and find the cause of accidents and to take corrective action, if possible, through the post injury response program.

Each employee is responsible for keeping his or her own work area clean. Good housekeeping is especially important in our business. Good housekeeping is a necessary adjunct to the maintenance of a safe and healthy workplace. A basic rule of fire prevention is good housekeeping and management will make periodic inspections of the premises, including individual offices, to insure that potential hazards are eliminated and that any and all dangerous practices and conditions are quickly corrected.

Observance of all the County safety procedures and OSHA standards is a requirement for continued employment, and violators may be appropriately disciplined.

Any safety matter should be referred to the County Manager or designee, through the safety/wellness committee.

ACCIDENT AND INJURIES

Any injury, which occurs on the job, must be reported immediately to the Department Leader or Manager regardless how slight the injury may seem. The same applies to illnesses, which appear to be related to the job in any way. A job-related injury or illness, which is not reported by an employee, can result in medical complications, unnecessary loss of time and wages, and delay in or even loss of applicable benefits under the Workers' Compensation Insurance Program. Failure to report such incidents also denies the County the opportunity to remedy the cause of the injury or illness in the first place.

The Department Leader or Manager will determine whether or not the injury requires only basic first aid treatment by the County personnel trained in first aid, or if it is more serious so as to require treatment at a doctor's office or at a hospital. Whenever there is any doubt about an employee's condition, the

Department Leader or Manager should escort or make arrangements for the person to be taken to the medical provider or to a hospital.

When a job-related injury/illness, or incident is reported, the Department Leader or Manager, with the employee, is responsible for gathering all the pertinent facts about the situation such as: time, place, cause, extent, equipment or process. This information is then put in the First Report of Injury Form and forwarded, within 24 hours of the incident, to the County Manager or designee, who is responsible for sending it to the insurance company and the Workers' Compensation Board. Department Leaders or a designee are responsible for conducting an accident analysis in conjunction with the accident investigation committee and developing modified duty jobs, where or when applicable. Each employee is expected to observe safety practices on his or her shift so as to keep accidents and injuries at the County to a minimum.

Department Leaders and Managers are expected to ensure that each employee follows the procedures, which have been established to assure a safe and healthful workplace.

MODIFIED-DUTY

When possible and appropriate for the County's staffing needs, modified, short-term, or early return-to-work assignments ("modified-duty") may be made available to an employee as a positive means of rehabilitation following a disabling work injury.

A medical provider must approve any candidate for modified-duty. Temporary assignments may not last longer than 30 working days.

Employees on modified duty can be utilized in any department, performing any function that they are able to do.

As soon as Modified-duty is requested or appropriate, the County Manager or designee will evaluate any health restrictions and search for modified-duty at the employee's worksite. If none exists in that area County Manager or designee may deem it necessary to look elsewhere within the County to provide Modified-Duty. If there is no Modified-Duty available or appropriate under the circumstances, the employee will be instructed to return to work on a date when such work exists or when full-duty is possible, whichever comes first. The County Manager or designee will notify an employee as to availability of work.

The duration of Modified-Duty is limited to an initial period of 30 working days, but the period of Modified-Duty may be extended upon determination of the County Manager or designee. Extensions may be approved based upon an

- e) Refusal to follow the orders of or acting in an insubordinate manner to a Department Leader or Manager or other member of management;
- f) Fighting or provoking a fight on County property or at County sponsored events;
- g) Theft or misuse of the County or of another employee's property;
- h) Removal of the County property, or of material or supplies from the County's premises without permission;
- i) Threatening, coercing, intimidating or interfering in any way with the work and safety of other employees;
- j) Violating the County's policies;
- k) Engaging in gambling or any other illegal activities on the County premises at any time;
- l) Falsifying a County record or report, such as an application for employment, a work record, or time record: including tampering with a time clock; failure to swipe your badge, failure to complete a time sheet as required; swiping a badge of another worker, or allowing another worker to swipe his or her badge;
- m) Failure to give complete and accurate information on any forms or other County documents where data is required or requested from the employee;
- n) Making false or malicious statements about the County, its residents or any of its employees;
- o) Solicits or accepts gifts and/or gratuities, other than those of a nominal nature for the performance of their regular duties;
- p) Exerts political influence or unethical pressure on any County employee to secure promotion, reclassification, leave of absence, increase in pay and/or any other favors;
- q) Receives or sends information, by any electronic device (i.e. cell phone, telephone, email, text messaging, etc.) provided by the County for personal purposes without prior authorization of their Department Leader.
- r) Entering into or engaging in any activity which affects the County's business, operations and reputation in a detrimental way or otherwise brings it discredit;
- s) Disclosing confidential information about the County, its residents, processes etc., without the County approval; and
- t) Leaving the premises during scheduled work time without approval of the Department Leader or Manager; failure to observe rest periods and meal schedules.

3. The possession, sale, or use of a controlled substance other than a drug prescribed by a physician is detrimental to the health of employees, to their job performance, and to the reputation of the County. For this reason the following is applicable:

- a) Any employee found to be selling or distributing unauthorized drugs may be subject to immediate termination;

- b) In situations of current drug or alcohol abuse, management may consider the employee's work record and his or her willingness to undergo treatment before deciding whether termination is required.
- c) Department Leaders or Managers should be alert to signs or symptoms, which may suggest improper substance use or abuse.
- d) Any employee who is suspected of unlawful drug abuse should be reported at once to Management;
- e) Department Leaders or Managers should not attempt to provide counseling services to suspected drug or substance users, since diagnosis and rehabilitation are the functions of qualified experts;

The foregoing examples above are illustrative of the type of behavior, which will not be permitted, but these examples are not intended to be all-inclusive. Any question in connection with this policy should be directed to the County Manager or designee.

Section 3-Other Policies of Employment

HAZARDOUS AND TOXIC SUBSTANCES

To the extent required by law, the County will provide its employees with information about any hazardous and/or toxic substances to which an employee may be exposed or which an employee will be required to handle.

An employee may obtain a Material Safety Data Sheet about hazardous or toxic substances to which he or she might be exposed, be required to handle, and/or which might be in the work place.

Hazardous/toxic substances used in the County's facilities will be identified and labeled prior to being used. Labels will contain at a minimum, the following data:

- a) Name of the substance and its risk of use;
- b) First-Aid/emergency treatment or procedures and antidotes;
- c) Safety precautions for handling/disposal of the substance;
- d) Health effects
- e) Potential routes of exposure and symptoms of over exposure; and
- f) Manufacturer information, including emergency numbers.

Should an employee be allergic to a toxic substance, he or she must promptly notify his or her Department Leader or Manager.

Failure of any employee to follow the safety or hazardous and/or toxic handling or disposal precautions will result in disciplinary action.

Inquiries concerning hazardous and toxic substances should be referred to the Department Leader or Manager or the County's EMA Director.

PROBLEM RESOLUTION

In every organization, there are differences of opinion about work-related situations. The County endeavors to provide all employees and volunteers with an opportunity to present their complaints and decisions by management through a problem resolution/grievance procedure. No problem or complaint should be ignored or treated lightly. In most cases, the problem or complaint is genuine and important to the employee involved. Good judgment and sincerity in dealing in this area can be instrumental in building teamwork and inspiring motivation required for a successful operation.

In this policy, we have set out a series of steps designed to resolve problems brought by the County's nonunion staff. County employees that belong to a bargaining unit should refer to the contract to address resolutions or any issues impacting them.

1. A grievance is an employee's expressed feeling of dissatisfaction concerning conditions of employment or treatment by management or other employees.

Examples of actions that may cause grievances include:

- a) Application of policies, practices, rules, regulations, and procedures believed by an employee to be to the detriment of an employee;
 - b) Treatment which is considered unfair by an employee, such as coercion, reprisal, harassment, retaliation or intimidation;
 - c) Alleged discrimination because of race, color, sex, age, religion, national origin, marital status, sexual orientation, or any other non-merit factor; and
 - d) Improper administration of employee benefits or conditions of employment such as vacations, promotions, retirement, holidays, performance reviews, salary or other employee benefits.
2. Regular full-time who have completed the probationary period should be encouraged to problem resolve and must not, under any circumstances, be penalized for doing so. Department Leaders and Managers are responsible for ensuring that the problem resolution/grievance is fully considered.
3. Whenever an employee believes that he or she has a work-related problem, the employee should bring the matter to the attention of his or her Department Leader or Manager. It is the responsibility of the Department Leader or Manager to investigate the grievance, to attempt to resolve the problem, and to communicate a decision to the employee within a reasonable time. If the employee's problem is about the Department Leader or Manager, the employee shall be permitted to discuss the problem first with County Manager or designee.

4. If the aggrieved employee is not satisfied with the immediate resolution, he or she will be permitted to pursue his or her grievance through a formal complaint procedure. The employee may file a written complaint to their immediate Manager or Department Leader within 30 days of the occurrence. The Manager or Department Leader shall hear the employee's complaint and to take appropriate action and file a written response to the employee within ten (10) working days.
5. The Department Leader will discuss the matter with the employee and the Manager, and will make a decision concerning the grievance. The Department Leader's decision will be noted in writing, together with the reasons supporting the decision.
6. If the employee is still not satisfied with the decision, he or she may pursue his or her grievance to the County Manager or designee. The County Manager or designee will discuss the matter with the employee after reviewing the grievance, the investigation as recorded, and the decisions of the Department Leader. A final decision will be communicated to the employee within 10 working days. The decision reached as a result of this meeting shall be final and binding.
7. Information concerning an employee's grievance will be received in strict confidence. Department Leaders or Managers, and other members of management will discuss a grievance only with those individuals who are necessary.
8. Time spent by employees in grievance discussions with management during their normal working hours will be considered hours worked for pay purposes.
9. Management decisions on grievances will not be precedent-setting nor binding on future grievances.

HARASSMENT COMPLAINT PROCEDURE

ANY EMPLOYEE WHO BELIEVES HE OR SHE HAS BEEN HARASSED SHOULD TAKE THE FOLLOWING STEPS TO RESOLVE THE PROBLEM:

If an employee finds someone's behavior offensive, he/she may attempt to resolve the behavior by calmly but firmly informing the individual that the behavior is offensive and request that the behaviors cease.

If the employee does not feel comfortable discussing the behavior with the individual(s) involved, if the harassment continues, or if the employee believes some employment consequence may result from their confrontation with the individual whose behavior offends them, the employee should report the harassment to their immediate Department Leader or register a complaint, preferably in writing, to the County's Sexual Harassment Officers, County Manager Greg Zinser at 207-459-2312 or Jennifer Kern at 207-324-8001. All complaints will be investigated promptly, and, to the extent possible, on a confidential basis. Confirmed instances of verbal or sexual harassment will be dealt with by utilization of whatever disciplinary action the County deems appropriate, up to and including termination.

With regard to a sexual harassment complaint, if the employee does not want to make the report internally, the employee may make the complaint to the Maine Human Rights Commission (MHRC); the State agency charged with enforcement of the sexual harassment statutes. The MHRC is located in Augusta and the phone number at MHRC is 1-207-624-6050; the address is State House Station 51, Augusta, ME 04333-0051. Any complaint must be filed with the Commission within 300 days of the act of harassment. Once the Commission has received a signed charge form, an investigation will be conducted and a determination will be made by the Commission of whether or not there are reasonable grounds to believe sexual harassment occurred. All questions pertaining to the status of investigations by the MHRC should be directed to the Commission. If the Commission determines that sexual harassment did occur, it will attempt to resolve the situation between the employee and the County through informal means. If informal means of resolution are unsuccessful, the Commission counsel may file a civil action on the employee's behalf in the Superior Court, seeking appropriate relief.

If the employee wants to file a civil action directly in Superior Court, and not have the Maine Human Rights Commission investigate their charge, and if the charge has been filed with the Commission for 180 days or more, the employee may ask for a Right-to-Sue letter. The Commission will issue the employee the letter, immediately stop investigation of the charge of discrimination, and administratively dismiss the charge upon the request for a Right-to-Sue letter.

Under the law, an employee may not be punished or penalized in any way for reporting, complaining about or filing a claim concerning sexual harassment, or for testifying in any proceeding brought by anyone else. If an employee believes that they are being discriminated or retaliated against because of a complaint he or she made, the employee should inform the County Manager or designee immediately.

PARKING FOR EMPLOYEES

Parking facilities are available for those employees who desire to park their cars on the County property while working, but the County's parking areas are restricted to the use of visitors and employees only who are here for legitimate business reasons. The parking areas are to be used only for the purpose of parking. All employees will be assigned a York County parking sticker after providing a copy of their motor vehicle registration to the County Manager or designee .

The County assumes no responsibility for personal vehicles damaged or stolen, or for articles lost or stolen from personal vehicles, while personal vehicles are on the County property. Employees are advised to keep their vehicles locked while on the County property.

A number of spaces have been designated for the exclusive parking of individuals with certain disabilities. Signs designate appropriate parking areas. Parking in front of the entrances, blocking of exits or fire hydrants, parking in non-designated areas, or emergency exits is strictly prohibited.

Employees using our parking areas are expected to drive safely and to park their vehicles carefully so as to avoid damage or injury to others. The County takes no responsibility for the driving or the motor vehicles of its employees. Driving speed on the County property is restricted to 10 miles per hour. Anyone violating the privileges will be denied parking on the County property.

PERSONAL TELEPHONE CALLS AND MAIL

Telephone and mail facilities of the County are available during working hours for effective communication. The County's telephones are only for County business.

Personal telephone calls should be limited to those, which are absolutely necessary because of an emergency, and should be as brief as possible. This limitation on the use of telephones also applies to making unnecessary personal calls to fellow employees within the County.

The County's facilities should not be used for personal telephone calls except in cases of emergency. Incoming personal calls for employees are not part of the County's business and, therefore, are discouraged.

While at work employees are expected to exercise the same discretion in using personal cellular phones as is expected for the use of company phones. For safety and security reasons, the Sheriff's Department may prohibit the possession and use of cell phones in certain areas. Excessive personal calls during the workday, regardless of the phone used, can interfere with employee productivity and be distracting to others. Employees are encouraged to make any personal calls on non-work time, where possible, and to ensure that friends and family members are aware of our company's policy.

The use of any cellular phone is highly discouraged while driving or operating any vehicle, unless a hands free call-talk system has been permanently installed on the vehicle. If you are driving a County owned vehicle every effort should be made to pull off to the side of the road to use a cell phone (County issued or personal) if your vehicle is not equipped with a hands free call-talk system.

Employees may not use the County address for receiving personal mail. The County stationery should not be used for personal correspondence.

SOLICITATION AND DISTRIBUTION OF MATERIAL

As a public employer, the County prohibits solicitations and distribution of leaflets, circulars, pamphlets, or of solicitation through electronic mail (E-Mail) or Voice Mail, on its premises, by individuals or groups not associated with the County.

Employees may not engage in solicitation for any purpose of another employee during that employee's working time, or during their own working time. Employees may not distribute literature to another employee during that employee's working time or during their own working time, or in any working area. From time to time, the County may conduct charitable solicitation, for the purpose of acquiring or maintaining goodwill in the community, consistent with its business interests.

The County parking area is to be used for the purpose of parking only. No solicitation and distribution will be allowed in parking areas unless preapproved by the County Manager or designee.

Any violation of the above may result in discipline, up to and including termination.

SMOKING AND TOBACCO

To protect and enhance our indoor air quality and to contribute to the health and well being of all employees and visitors, the County and all its facilities are entirely smoke free. Additionally, the use of all tobacco products, including chewing tobacco, is banned from all facilities, except in designated areas.

Smoking and use of tobacco products is prohibited in all of the enclosed areas within all facilities, without exception. This includes common work areas, offices, conference and meeting rooms, private offices, hallways, the lunchrooms, stairs, restrooms, County owned or leased vehicles, and all other enclosed facilities.

No smoking is allowed within a fifty (50) foot area of any County building. The only designated smoking area is outdoors in the designated areas. Additionally, employees may smoke in their personal vehicles, but the smoke and tobacco products must be completely contained within the vehicle. It is not acceptable that either smoking or non-smoking employees are subjected to smoke that they must walk through to reach their vehicle or any other destination on the County premises. Smoking in any other area is strictly prohibited. Smokers should respect the health of non-smokers.

Employees who choose to use these smoking areas do so at their own risk. No additional breaks are allowed to any employee who smokes. Finally, smokers and users of tobacco products must dispose of the remains in the proper containers. This helps to keep a neat and clean environment for all employees and our visitors.

Failure to comply with all of the components of this policy will result in disciplinary action.

EMPLOYEE LOCKERS

The County may provide employees, in certain departments, with lockers. Lockers are assigned by the Department Leader. Employees may choose to secure their lockers and are responsible for purchasing such locks.

At all times the County retains ownership of lockers regardless of whether the County or the employee furnishes the lock.

Lockers must be kept free from accumulation of food and trash. All foods left overnight must be kept in airtight containers.

EMPLOYEES' PERSONAL PROPERTY

Although the County provides lockers for employees in certain departments, the County takes no responsibility for the contents of the locker. There are no safe or lockup facilities for the safekeeping of personal items of value while an employee is at work. Accordingly, the County suggests that employees do not bring personal property to work so as to avoid their possible loss or theft. Personal items such as watches, wallets, pocketbooks, jewelry, etc., should not be left unattended in a work area including desktops. The County cannot assume any responsibility for lost or stolen items. Articles lost or found anywhere on the premises should be immediately reported to the Department Leader.

PERSONAL PROPERTY AND EXPECTATION OF PRIVACY

The County assumes no liability whatsoever for the damage, loss or theft caused by third parties to the personal property of its employees.

All storage facilities, office and workspaces, including desks and lockers, are the property of the County and the County reserves the right to have access to these areas and to such property at any time, without advance notice to any employee.

Therefore, employees should not expect that such property would be treated as private and personal to the employee. Likewise, electronic mail and voicemail are also County property and are to be used only for business purposes. Internet accounts are also to be used only for County business. The County reserves the right to inspect, monitor and have access to County computers, electronic mail, voicemail messages and Internet communications.

SOCIAL MEDIA POLICY

At the County, we understand that social media can be a fun and rewarding way to share your life and opinions with family, friends and co-workers around the world. However, use of social media also presents certain risks and carries with it certain responsibilities. To assist employees in making responsible decisions about their use of social media, the County has established these guidelines for appropriate use of social media.

This policy applies to all employees and volunteers who work for the County.

In the rapidly expanding world of electronic communication, *social media* can mean many things. *Social media* includes all means of communicating or posting information or content of any sort on the Internet, including to your own or someone else's web log or blog, journal or diary, personal web site, social networking or affinity web site, web bulletin board or a chat room, whether or not associated or affiliated with the County, as well as any other form of electronic communication.

Ultimately, the employee is solely responsible for what they post online. Before creating online content, consider some of the risks and rewards that are involved. Keep in mind that any conduct that adversely affects job performance, the performance of fellow employees or otherwise adversely affects employees, residents, taxpayers, suppliers, people who work on behalf the County or the County's legitimate business interests may result in disciplinary action up to and including termination.

Employees should ensure all postings are consistent with these policies. Inappropriate postings that may include discriminatory remarks, harassment, and threats of violence or similar inappropriate or unlawful conduct will not be tolerated and may subject an employee to disciplinary action up to and including termination.

Employees should always be fair and courteous to fellow employees, residents, taxpayers, suppliers or people who work on behalf of the County. Also, employees should keep in mind that you are more likely to resolve work-related complaints by speaking directly with co-workers or by utilizing the County's Grievance Policy than by posting complaints to a social media outlet. Nevertheless, if an employee decides to post complaints or criticism, avoid using statements, photographs, video or audio that reasonably could disparage

taxpayers, residents or suppliers, or that might constitute harassment or bullying. Examples of such conduct might include offensive posts meant to intentionally harm someone's reputation or posts that could contribute to a hostile work environment on the basis of race, sex, disability, religion or any other status protected by law or company policy.

Employees should make sure they are always honest and accurate when posting information or news, and if they make a mistake, correct it quickly. They should be open about any previous posts they have altered, remembering that the Internet archives almost everything; therefore, even deleted postings can be searched. Posts should never contain any information or rumors that is known to be false about the County, fellow employees, residents, taxpayers, or people working on behalf of the County.

All posts and content should be respectful and contain the following:

Maintain the confidentiality of the County's private or confidential information. Do not post internal reports, policies, procedures or other internal business-related confidential communications.

- Do not create a link from a personal blog, website or other social networking site to the County website without identifying yourself as a County employee.
- Express only personal opinions. Employees must never represent oneself as a spokesperson for the County. If the County is a subject of the content being created, one must be clear and open about the fact that the employee is an employee and make it clear that the views do not represent those of the County, residents, taxpayers, suppliers or people working on behalf of the County. If an employee does publish a blog or post online related to the work you do or subjects associated with the County, the employee must make it clear that they are not speaking on behalf of the County. It is best to include a disclaimer such as "The postings on this site are my own and do not necessarily reflect the views of the County."
- Employees should refrain from using social media while on work time or on equipment the County provides, unless it is work-related as authorized by the Department Leader. Employees must not use County email addresses to register on social networks, blogs or other online tools utilized for personal use. The County prohibits taking negative action against any employee for reporting a possible deviation from this policy or for cooperating in an investigation. Any employee who retaliates against another employee for reporting a possible deviation from this policy or for cooperating in an investigation will be subject to disciplinary action, up to and including termination.

Employees should not speak to the media on the County's behalf without contacting the County Manager or designee. All media inquiries should be

directed to him. The County does reserve the right to restrict internet access as it deems necessary.

COMPUTERS USAGE

The use of County automation systems, including computers, fax machines, and all forms of Internet/intranet access, is for County business and for authorized purposes only. Brief and occasional personal use of the electronic mail system or the Internet is acceptable as long as it is not excessive or inappropriate, occurs during personal time (lunch or other breaks), and does not result in expense or harm to the County or otherwise violate this policy.

Use is defined as "excessive" if it interferes with normal job functions, responsiveness, or the ability to perform daily job activities. Electronic communication should not be used to solicit or sell products or services that are unrelated to the County's business; distract, intimidate, or harass coworkers or third parties; or disrupt the workplace.

Use of County computers, networks, and internet access is a privilege granted by the County Manager or designee and may be revoked at any time for inappropriate conduct carried out on such systems, including, but not limited to:

- Sending chain letters or participating in any way in the creation or transmission of unsolicited commercial e-mail ("spam") that is unrelated to legitimate County purposes;
- Engaging in private or personal business activities, including excessive use of instant messaging and chat rooms (see below);
- Accessing networks, servers, drives, folders, or files to which the employee has not been granted access or authorization from someone with the right to make such a grant;
- Making unauthorized copies of County files or other County data;
- Destroying, deleting, erasing, or concealing County files or other County data, or otherwise making such files or data unavailable or inaccessible to the County or to other authorized users of County systems;
- Misrepresenting oneself or the County;
- Violating the laws and regulations of the United States or any other nation or any state, city, province, or other local jurisdiction in any way;
- Engaging in unlawful or malicious activities;
- Deliberately propagating any virus, worm, Trojan horse, trap-door program code, or other code or file designed to disrupt, disable, impair, or otherwise harm either the County's networks or systems or those of any other individual or entity;
- Using abusive, profane, threatening, racist, sexist, or otherwise objectionable language in either public or private messages;
- Sending, receiving, or accessing pornographic materials;
- Becoming involved in partisan politics;

- Causing congestion, disruption, disablement, alteration, or impairment of County networks or systems;
- Maintaining, organizing, or participating in non-work-related Web logs ("blogs"), Web journals, "chat rooms", or private/personal/instant messaging;
- Failing to log off any secure, controlled-access computer or other form of electronic data system to which you are assigned, if you leave such computer or system unattended;
- Using recreational games; and/or
- Defeating or attempting to defeat security restrictions on County systems and applications.

Using County automation systems to access, create, view, transmit, or receive racist, sexist, threatening, or otherwise objectionable or illegal material, defined as any visual, textual, or auditory entity, file, or data, is strictly prohibited. Such material violates the County anti-harassment policies and is subject to disciplinary action. The County's electronic mail system, Internet access, and computer systems must not be used to harm others or to violate the laws and regulations of the United States or any other nation or any state, city, province, or other local jurisdiction in any way. Use of County resources for illegal or inappropriate activity can lead to disciplinary action, up to and including dismissal and criminal prosecution. The County will comply with reasonable requests from law enforcement and regulatory agencies for logs, diaries, archives, or files on individual Internet activities, e-mail use, and/or computer use.

Unless specifically granted in this policy, any non-business use of the County's automation systems is expressly forbidden.

If you violate these policies, you could be subject to disciplinary action, up to and including dismissal.

The County owns the rights to all data and files in any computer, network, or other information system used in the County and to all data and files sent or received using any County system or using the County's access to any computer network, to the extent that such rights are not superseded by applicable laws relating to intellectual property. The County also reserves the right to monitor electronic mail messages (including personal/private/instant messaging systems) and their content, as well as any and all use by employees of the Internet and of computer equipment used to create, view, or access e-mail and Internet content. Employees must be aware that the electronic mail messages sent and received using County equipment or County-provided Internet access, including web-based messaging systems used with such systems or access, are not private and are subject to viewing, downloading, inspection, release, and archiving by County officials at all times. The County has the right to inspect any and all files stored in private areas of the network or on individual computers or storage media in order to assure compliance with County policies and state and federal

laws. No employee may access another employee's computer, computer files, or electronic mail messages without prior authorization from either the employee or an appropriate County official.

The County uses software in its electronic information systems that allows monitoring by authorized personnel and that creates and stores copies of any messages, files, or other information that is entered into, received by, sent, or viewed on such systems. Accordingly, employees should assume that whatever they do, type, enter, send, receive, and view on County electronic information systems is electronically stored and subject to inspection, monitoring, evaluation, and County use at any time. Further, employees who use County systems and Internet access to send or receive files or other data that would otherwise be subject to any kind of confidentiality or disclosure privilege thereby waive whatever right they may have to assert such confidentiality or privilege from disclosure. Employees who wish to maintain their right to confidentiality or a disclosure privilege must send or receive such information using some means other than County systems or the County-provided Internet access.

The County has licensed the use of certain commercial software application programs for business purposes. Third parties retain the ownership and distribution rights to such software. No employee may create, use, or distribute copies of such software that are not in compliance with the license agreements for the software. Violation of this policy can lead to disciplinary action, up to and including dismissal.

As noted above, electronic mail is subject at all times to monitoring, and the release of specific information is subject to applicable state and federal laws and County rules, policies, and procedures on confidentiality. Existing rules, policies, and procedures governing the sharing of confidential information also apply to the sharing of information via commercial software. Since there is the possibility that any message could be shared with or without your permission or knowledge, the best rule to follow in the use of electronic mail for non-work-related information is to decide if you would post the information on the office bulletin board with your signature.

It is a violation of County policy for any employee, including system administrators and supervisors, to access electronic mail and computer systems files to satisfy curiosity about the affairs of others, unless such access is directly related to that employee's job duties. Employees found to have engaged in such activities will be subject to disciplinary action.

Electronic mail messages received should not be altered without the sender's permission; nor should electronic mail be altered and forwarded to another user and/or unauthorized attachments be placed on another's electronic mail message.

The Internet is to be used to further the County's mission, to provide effective service of the highest quality to the County's customers and staff, and to support other direct job-related purposes. Supervisors should work with employees to determine the appropriateness of using the Internet for professional activities and career development. The various modes of Internet/Intranet access are County resources and are provided as business tools to employees who may use them for research, professional development, and work-related communications. Limited personal use of Internet resources is a special exception to the general prohibition against the personal use of computer equipment and software.

Employees are individually liable for any and all damages incurred as a result of violating County security policy, copyright, and licensing agreements.

All County policies and procedures apply to employees' conduct on the Internet, especially, but not exclusively, relating to: intellectual property, confidentiality, County information dissemination, standards of conduct, misuse of County resources, anti-harassment, and information and data security.

The County prohibits the use or possession in the workplace of any type of camera phone, cell phone camera, digital camera, video camera, or other form of image- or voice-recording device without the express permission of the County and of each person whose image and/or voice is/are recorded. Employees with such devices should leave them at home unless expressly permitted by the County to do otherwise. This provision does not apply to designated County personnel who must use such devices in connection with their positions of employment.

Employees should not bring personal computers or data storage devices (such as floppy disks, CDs/DVDs, external hard drives, flash drives, "smart" phones, iPods/iPads/iTouch or similar devices, mobile computing devices, or other data storage media) to the workplace or connect them to County electronic systems unless expressly permitted to do so by the County. Any employee bringing a personal computing device, data storage device, or image-recording device onto County premises thereby gives permission to the County to inspect the personal computer, data storage device, or image-recording device at any time with personnel of the County's choosing and to analyze any files, other data, or data storage devices or media that may be within or connectable to the personal computer or image-recording device in question. Employees who do not wish such inspections to be done on their personal computers, data storage devices, or imaging devices should not bring such items to work at all.

Violation of this policy, or failure to permit an inspection of any device covered by this policy, shall result in disciplinary action, up to and possibly including immediate termination of employment, depending upon the severity and repeat nature of the offense. In addition, the employee may face both civil and criminal

liability from the County, from law enforcement officials, or from individuals whose rights are harmed by the violation.

USE OF THE COUNTY EQUIPMENT AND SUPPLIES

The County-owned equipment, materials, supplies, etc. are to be used only in performing work that has been assigned by the County. No employee may use any of these items except as required for the job being performed and to which the employee has been assigned by the County.

All employees are prohibited from removing any supplies, materials, etc. from the County without its authorization. Any violation of this rule will be considered as theft and will result in appropriate discipline.

OUTSIDE EMPLOYMENT

In order for the County to continue to provide the best service, we request the full attention and efforts of our employees. The County discourages outside employment. We recognize that in some situations outside employment approval will be governed by existing union contracts. Any employee holding a job with another organization must always demonstrate satisfactory performance in his or her job responsibilities with the County. All employees will be judged by the same performance standards and will be subject to the County's scheduling demands, regardless of any existing outside work requirements.

If the County determines that an employee's outside work interferes with performance or the ability to meet the requirements of County as they are modified from time to time, the employee may be asked by the Department Leader to terminate the outside employment if he or she wishes to remain with the County.

Outside employment will present a conflict of interest if it has any type of negative impact or a potentially negative impact on the County. The County shall in no respect be liable for, nor ordinarily grant vacation, sick leave or disability leaves in cases of any injury or illness to an employee while they are engaged in outside employment, nor to any occupational disability attributed thereto.

ADVERSE WEATHER CONDITIONS

It is the policy the County to remain open during most periods of inclement weather; however, where extraordinary circumstances warrant, the County reserves the right to close the facility. Thus, employees are encouraged to listen to radio broadcasts during periods of adverse weather to find out if the facility is open or closed on a given day.

If the facility is announced to be closed on a given day, all non-essential staff will receive their regular pay for the day of closure. For non-essential hourly employees on a day of closure, an employee will receive their regular rate of pay classified as administrative time.

If the facility remains open on an adverse weather day, employees who report to work will receive their normal pay for the day, i.e., exempt staff will receive their regular salary and hourly employees will be paid at their regular rate for all hours worked.

Employees may exercise discretion in coming to work if they feel their safety is at stake. Employees must notify their supervisor of their decision to remain away and must use a sick or vacation day for that period.

All essential personnel are required and expected to report to work for their regular duty regardless of weather conditions.

STRIKES

It is recognized that the need for continued and uninterrupted operation of the County Departments and Agencies is of paramount importance to the citizens of the County and that there should be no interference with such operation.

Adequate procedures have been provided in this policy for the equitable settlement of complaints and grievances. No employee will engage in, encourage, sanction, or suggest strikes, slowdowns, mass absenteeism mass resignations, or other similar action, which would involve suspension or interference with normal work activities.

The County Commissioners will have the right to discipline or discharge any employee encouraging, suggesting, or participating in a strike, slowdown, or other work action.

FIREARMS

Employees, other than those authorized to do so, may not possess or carry firearms of any kind in County buildings, County vehicles, or otherwise while working for the County. Employees with a valid Maine Concealed Firearm Permit may keep their firearm in their personal vehicle, as long as it is covered and the vehicle is locked. Employees should inform the County Manager or designee that they have a firearm in their vehicle and show their firearm permit to the County Manager or designee.

Section 4 - Compensation and Pay Practices

COUNTY COMMISSIONERS ORDER
Establishing Pay Ranges for Elected Officials effective 1/1/2014

Chair of Commissioners	\$9,429	
Court of Commissioners	\$8,969	
	Minimum	Maximum
Judge of Probate	\$35,000	\$45,000
Register of Probate	\$40,000	\$55,000
Register of Deeds	\$40,000	\$55,000
Treasurer		\$500
Sheriff ¹	\$60,000	\$80,000

The intention of this policy is to establish a pay range for elected positions. Incumbents are not affected by this policy. It applies to newly elected individuals who take office on or after January 1, 2015. The commissioners reserve the right to consider setting a salary above the ceiling in order to recognize unique accomplishments of the official in his/her career, to recognize expertise in management, an individual's overall experience that support exceeding the ceiling or other factors unique to the official's career and achievements.

Voted and signed into effect on December 4, 2013 by York County Commissioners:

 Sallie V. Chandler, Chair

 Daniel C. Cabral, Vice-Chair

 Richard R. Dutremble

 Gary A. Sinden

 Michael J. Cote

¹ The number listed under the minimum column represents the base pay requirement as required by statute.

COMPENSATION PLAN

The County strives to fairly compensate our employees. We value our employees and volunteers and their contributions. As an employer we believe that it is in the best interest of both the organization and our employees to fairly compensate our workforce for the value of the work provided.

The specifics of our various compensation plans are outlined in each of the Department's union contracts. Employees should direct specific questions about their plans to either the Department Leaders or the County Manager or designee.

Current Non union employees (as of December 31, 2013) covered by this policy receive a 2% increase on their anniversary date from year 1 through year 20.

All non-union employees hired on or after January 1, 2014 will receive a two percent (2%) increase after three full years of employment and increases of 2.5% of their base hourly rate of pay after the completion of their eight, thirteenth, eighteenth, twenty-third and twenty-eighth years of full time employment upon obtaining a successful performance evaluation.

JOB DESCRIPTIONS

Position descriptions are available for all positions unless stated otherwise by Union contract from the County Manager or designee. Such description will be written by the employee and the Department Leader and reviewed and approved by the County Manager or designee.

PERFORMANCE APPRAISALS

Employee performance appraisals should normally be done on at least an annual basis and should be completed thirty (30) days after the employee's anniversary date. Each Department Leader is responsible for evaluating the employee's performance annually. Each employee on a probationary status will be evaluated prior to the end of the probationary period. All appraisals will be reviewed by the County Manager or designee and filed in the employee's personnel file. Appraisals will generally be based in part on the previous 12-month period.

EMA COMPENSATION DURING STATE OF EMERGENCY

Salaried exempt employees assigned to Emergency Management Agency during periods following the declaration of a state of emergency shall be compensated for or take compensatory time for all hours worked in excess of 40 hours in the work week.

When an incident is deemed to be widespread, complex with significant impact to the County requiring an extended period of operation of the Emergency Operations Center, the Chair of the Board of Commissioners has the authority to declare a State of Emergency for the County as specified in the York County Emergency Operations Plan (YCEOP). The Director of EMA or his/her designee in concert with the County Manager or designee shall provide a recommendation for such a declaration. When a declaration is established, the full time County EMA employees who are designated exempt employees will be entitled to straight time compensation or compensatory time for all hours worked above 40 in a workweek, which is from 0001 hours Monday until 24:00 hour Sunday. The County EMA Director or his/her designee will be responsible for assigning official work hours. It should be noted that the EOC would need to be staffed 24 hours a day during the incident with reduced hours as the incident scales down. The EMA Director in concert with the County Manager or designee will evaluate the need for continuation of the declaration daily during briefings. EMA Reservists will be employed to support the operation and volunteers will be utilized as available to insure sufficient staffing of the EOC.

Incidents that require the EOC to activate, but do not reach the level demanding a County State of Emergency Declaration, will be worked by staff without expectation of additional compensation. This is what would be termed "Casual Overtime" which is part of a normal operation. This Guideline is designed for the larger, extended, complex events that severely impact the County.

PAY DAY AND METHODS OF PAYMENT

Payday is on Friday of each week. The pay received covers all work performed in the prior workweek. The County provides, for the convenience of its employees, Direct Deposit of their paychecks to the bank of their choice. Employees will enroll in this program during their orientation.

Every effort is made to avoid errors in an employee's paycheck. If the employee believes an error has been made, notify either Payroll or the Finance Director immediately. They will take steps to research the problem and to assure that any necessary correction is made properly and promptly. If there has been an error where the employee has been over or underpaid, the error will typically be corrected in the next payroll period following discovery.

Any employee who is discharged or terminated by the County will be paid in full for all wages, including accrued but unused pro-rated vacation pay. The paycheck will be direct deposited. Employees who terminate voluntarily will receive their final pay on the next regular payday following their date of termination, provided all County equipment assigned to the employees has been returned to the employee's manager. Employees who are temporarily laid off will

receive the last paycheck due them in the same manner as those who terminate voluntarily.

All questions pertaining to pay day, rates of pay, pay computations, etc. should be directed to the employee's Department Leader or Manager. Employees will not be able to collect their pay prior to the normal distribution time.

TIME RECORDINGS

Federal and state law requires the County to keep a complete and accurate record of the hours worked by all non-exempt employees during each workweek. The County uses a variety of means to do this and employees should check with their Department Leaders to determine how this is done in their department. It is important that the following procedures be observed with respect to time recording.

Non-exempt employees must "clock in" before starting work and "clock out" whenever they leave the County's premises.

A meal period, off the clock, may be taken during each working shift for all employees except those whose duties require them to eat while on the job (see policy: Meal Breaks).

An employee is not permitted to perform any work unless he or she has clocked in. The Department Leader or Manager must approve hours of work performed outside the normal work schedule. The above restrictions also apply to employees who utilize time sheets.

In cases where an employee has to stop work and leave the facility during working hours for personal reasons, he or she must clock out when leaving and clock back in when returning. Such time off can only be taken with the specific approval of the Department Leader or Manager. The only exception to this procedure is the situation where an employee has a job related accident requiring a visit to the hospital or medical care provider. (See Guideline titled "Accidents and Injuries" for information on our pay practices when an injury occurs on the job).

Any employee who punches a card of another employee, tampers with the time clock, or in any way fails to maintain an accurate record of worked time, will be subject to disciplinary action, up to and including termination.

It is the direct and personal responsibility of each Department Leader to see that time records for all employees are kept in accordance with the above procedures.

PAYROLL DEDUCTIONS

Every employee's pay is broken out by the amount of gross earnings and the deductions from earnings required by federal and state laws. The following is a list of the various deductions, which are taken from earnings before payroll is direct deposited:

1. Mandatory Deductions

- a) Federal income tax withholding as required by federal law. The amount withheld is transmitted to the federal government in accordance with the schedule established by federal regulations.
- b) Social Security (FICA and Medicare Health) withholding as required by federal law. The amount withheld is transmitted to the federal government in accordance with Social Security regulations.
- c) State income tax withholdings as required by state law. Maine income tax is deducted from employee wages earned in Maine by residents and non-residents.
- d) Other garnishments from State and/or Federal agencies.

2. Voluntary Deductions Authorized and Approved by an Employee

- Deductions authorized by employee for bank accounts.
- Section 125 Flexible Benefits Plan
- Health Insurance Premiums
- Maine State Retirement Plan
- Any other voluntary deductions agreed to by the County.

3. In January of each year, an employee is given a W-2 statement for tax purposes. This statement shows the gross earnings for the prior calendar year, plus the total amounts deducted during the year for federal taxes, state taxes and Social Security taxes and other IRS required information.

4. If an individual's employment is terminated before the end of the year, the W-2 statement is mailed by first class to the individual's last known address at the time that W-2's are distributed to present employees.

5. Any question concerning deductions from an employee's paycheck should be referred to the Finance Office.

OVERTIME PAY

The County adheres to the terms of the Maine's Wage and Hour Law as well as the Fair Labor Standards Act (also known as the Federal Wage & Hour Law), including the payment of minimum wages and overtime pay. These laws and their regulations establish criteria for determining which positions are "non-exempt" (and, therefore, require pay for overtime hours worked), and which positions are "exempt" (i.e., do not require additional compensation for overtime). These laws specify that neither the employee nor the County may waive the employee's right to be compensated for overtime if the position is classified as non-exempt. The County Manager or designee has the responsibility for ensuring compliance with these laws and regulations, including, the determination of exempt or non-exempt status.

The County endeavors to accomplish its work within normal work schedules without unreasonable overtime. However, demands will, at times, require overtime work. All overtime work must be performed with the knowledge and prior approval of the Department Leader or Manager.

The law also requires that actual hours worked in excess of 40 hours per week (Sunday through Saturday) be paid to non-exempt staff at one and one-half times the employee's normal hourly wage. For example, if an employee who is assigned a regular schedule of forty hours per week actually works forty-five hours in a given week, the five hours of overtime in excess of forty would be paid to the individual at the rate of time and one-half.

For non-union hourly employees, time worked is defined as time actually spent at the workplace working. Vacation, sick time and administrative time are not considered time worked and are not factored into overtime calculations.

COMPENSATORY TIME

Compensatory Time (commonly referred to as "Comp Time") is defined as paid time off which is earned and accrued in lieu of cash payment when overtime compensation is required. Except for non-bargaining unit employees, the accrual and use of Comp Time is governed by the applicable collective bargaining agreement.

When considering Comp Time, employees and Department Leaders should take into account the appropriate accrual rate (straight time or overtime); the maximum number of Comp Time hours that may be accrued, and when accrued Comp Time may be used. It is important to note that these factors are not the same for all employees or all circumstances.

CALLBACK WORK AND PAY

Callback work refers to a situation where an employee is contacted and notified to report back to work after having completed his or her regularly scheduled work shift. These occasions normally result from special out-of-the-ordinary, work-related requirements and necessitate the specific skills and abilities of the called back employee. A callback situation does not exist where an employee is merely requested to report early or remain at work following his or her regularly scheduled shift. Non-union employees are not eligible for call back pay. Instead, non-union employees will be paid at their regular hourly rate of pay.

ADVANCES AGAINST WAGES

The County does not permit employees to receive advances against future earnings. It pays only the actual wages due and only on regular paydays as outlined in the section entitled "Pay Days and Methods of Payment."

Similarly, the County does not offer or make loans to employees.

WORK WEEK AND WORK SCHEDULE

In order to properly adhere to laws governing employment, it is necessary to differentiate between the terms "work week" and "work schedule."

"Work week" refers to the period of time consisting of seven consecutive 24-hour days, as specified by federal law, for the measurement of hours worked by and wages paid to each employee. The County has selected a workweek which begins at 12:00 A.M. Monday and ends at 11:59 P.M. the following Sunday.

"Work schedule" refers to the actual days and times of work within the workweek that an employee is scheduled to work. The County establishes a work schedule in accordance with the requirements of the different departments and with the immediate goal of satisfying resident and taxpayer needs in the most efficient and productive manner possible.

The standard workweek ranges from 35 to 40 hours per week depending on union contract. Other employees, including those within the Sheriff's Department have a standard workweek of forty hours per week. Overtime at a rate of time and one half will be paid for all essential and non-exempt employees who work over forty (40) hours per week.

Meal schedules are established by an employee's Department Leaders. Employees are entitled to take a thirty (30) minute meal break if they are scheduled to work six (6) hours or more in a day. Certain employees are authorized to take a sixty (60) minute meal break. The County does not

encourage nor condone extended lunch periods. However, when it becomes absolutely necessary for an employee to take time beyond the regular meal period to conduct personal business of an emergency nature, the individual employee's Department Leader or Manager may grant permission.

Because of the nature of our various businesses, work schedules vary between departments and positions. The Department Leader or manager will schedule employee's meal breaks.

From time to time, it may be necessary to change a work schedule. Changes may involve the addition of new shifts, working extra days in the work week, transfer or reassignment of employees between jobs and shifts, the discontinuance of a shift, reduction in hours or days, and other changes to accommodate resident and taxpayer needs.

PAID REST PERIODS

The scheduling of meal periods is set by the employee's Department Leader, with the goal of providing the least possible disruption to operations.

Employee meal periods are important to productivity and employee health. Employees who work at least six consecutive hours will be provided a meal break not to exceed 30 or 60 minutes depending on the employee's position and respective Union Contract. The meal period will not be included in the total hours of work per day and is not compensable.

The County recognizes that employees work better and enjoy their work more when they are rested and refreshed. Non-exempt employees are permitted two 10-minute rest breaks for each 7, 7 1/2 or 8 hours of work: one during the first half of the shift, and the other during the second half, unless otherwise specified. Employees working less than a six (6) hour shift are allowed one 10-minute rest period, which will be scheduled in the middle of their shift.

Neither the meal period nor the rest break(s) may be used to account for an employee's late arrival or early departure or to cover time off for other purposes – for example, rest breaks may not be accumulated to extend a meal period and rest breaks may not be combined to allow one half-hour long break. The County pays for rest periods of its employees. The purpose of a rest period is to provide a break in the work schedule for an employee's rest, refreshment and personal needs.

The actual timing of the rest periods will vary depending on the assigned work in an employee's employment. Since rest periods are paid for as if they were worked, rest period should not be recorded on the time card or time sheet.

The County requires that employees adhere to the 10-minute periods allotted for rest breaks. The Department Leader or Manager is responsible for seeing that

the rest times are closely observed and for taking appropriate disciplinary action whenever necessary.

COUNTY OFFICE HOURS

County offices shall remain open continuously from 8:00 A.M. to 4:30 P.M. each working day, Monday through Friday for the general public, excepting weekends and holidays. The County Manager or designee or the County Commissioners may alter this schedule.

GARNISHMENT OR ATTACHMENT OF SALARY

A court-ordered legal claim against the salary or wages of an employee by a creditor for non-payment of debt, and served by the constituted legal authority, is called a "garnishment". Under the federal law authorizing garnishment of salary (Title III of the Consumer Credit Protection Act), the County is obligated to recognize and execute the garnishment by withholding a portion of the staff member's salary for payment of the debt.

PERSONNEL FILES

Employee files are maintained by the County Manager or designee and are considered confidential. Department Leaders and Managers may only have access to their employee's personnel file information on a need-to-know basis.

A Department Leader or Manager considering the hire of a former employee or transfer of a current employee may be granted access to the file, or limited parts of it in accordance with anti-discrimination laws.

Personnel files are to be reviewed in the County Manager or designee's office only. Personnel files may not be taken outside of the department, even by Department Leaders or Managers.

Representatives of government or law enforcement agencies, in the course of their duties, may be allowed access to file information. This decision will be made at the discretion of the County Manager or designee in response to the employee's request, a valid subpoena, or valid court order.

Personnel file access by current employees and former employees upon request will generally be permitted within 3 days of the request.

USE OF PERSONAL VEHICLE

Any employee required to use their personal vehicle in the course of their work, or other use authorized by the Department Leader or the County Commissioners, shall keep a record of mileage driven. A signed voucher shall be submitted to the Department Leader for approval and payment at the prevailing County Government mileage rate and requirements as set by the Commissioners. Any employee required to use their own vehicle in the course of their work will be required to furnish proof of current liability insurance coverage to the County Manager or designee.

TRAINING

Any employee required to attend a seminar, conference or course of training during working hours shall be considered "working" and will receive their normal wages or salary.

Expenses for transportation, tolls, lodging and meals, when pre-approved by the Department Leader, will be reimbursed upon submission of an expense voucher with proof of expenditure(s), with the exception of full-time Maine Criminal Justice Academy certification programs. Employees required to attend the Maine Criminal Justice Academy for full-time certification will not be reimbursed for travel, meals, tolls, or lodging unless specifically authorized in advance, in writing, by the Department Leader.

In certain circumstances, the employee may receive an advance of expenses provided application for it is made to the Department Leader at least fourteen (14) days prior to the commencement of the course, conference or seminar. If an advance is given, the employee is expected to complete the required vouchers and promptly return any excess monies to the County.

PROPER DRESS

Workplace attire and grooming must be neat, clean and appropriate for the work being performed and the setting in which the work is performed. Natural and artificial scents may also become a distraction from a well-functioning workplace, and are also subject to this policy. Department Leaders may determine appropriate workplace attire and grooming for their area. Managers should communicate their department's workplace attire and grooming guidelines to employees during the orientation and evaluation period. Any questions about the department's guidelines for attire should be discussed with the Manager.

Employees are expected to at all times present a professional, businesslike

image to residents, taxpayers, visitors, and the public. Acceptable personal appearance, like proper maintenance of work areas, is an ongoing requirement of employment with the County.

The Sheriff's Department staff may be required to meet special dress, grooming and hygiene standards, such as wearing uniforms or protective clothing, depending on the nature of their job. Uniforms and protective clothing may be required for certain positions and will be provided to employees by the Sheriff's Department.

At its discretion, a department may, such as during unusually hot or cold weather or during special occasions, allow staff to dress in a more casual fashion than is normally required. On these occasions, employees are still expected to present a neat appearance and are not permitted to wear ripped, frayed or disheveled clothing, athletic wear, tight, revealing or otherwise inappropriate clothing. Any employee who does not meet the attire or grooming standards set by his or her department will be required to take corrective action, for example leaving the premises to change clothing. Hourly-paid staff will not be compensated for any work time missed because of failure to comply with designated workplace standards.

The County recognizes the importance of individually held religious beliefs to persons within its workforce. The County will reasonably accommodate a staff member's religious beliefs in terms of workplace attire unless the accommodation creates an undue hardship. Accommodation of religious beliefs in terms of attire may be difficult in light of issues of safety for the particular employee as well as co-workers. Employees requesting a workplace attire accommodation based on religious beliefs should be referred to the County Manager or designee.

Violations of the policy can range from inappropriate clothing items to offensive perfumes, body odor and tattoos. If an employee comes to work in inappropriate dress, the employee will be required to go home, change and return to work.

If an employee's poor hygiene or use of too much perfume/cologne is an issue, the Manager should discuss the problem with the employee in private and should point out the specific areas to be corrected. If the problem persists, Managers should follow the normal corrective action process.

Section 5 - Employee Benefits and Leave Plans

General Statement

This section contains descriptions of the various benefit and leave plans provided by the County. Where such benefits are governed by formal contracts, master policies and/or summary plan descriptions, the exact terms of the contracts shall control and govern.

As changes are made in existing benefit or leave policies or as new policies are established, new or revised pages for this document will be distributed by the County Manager or designee or his designee as soon as possible. The effective date of each new or revised guideline or procedure will be on the new pages describing the changes actually issued, and as determined by the County Manager or designee.

Employees should be aware that enrollment in the County benefit plans is never automatic. Although the County Manager or designee will make every effort to notify or remind an employee when he or she become eligible to enroll in a particular benefit plan, an employee must understand that he or she also has a responsibility for ensuring that he or she is enrolled on a timely basis. If an employee has questions as to his or her date of eligibility for or the status of his or her enrollment in a particular benefit plan, he or she is urged to contact the County Manager or designee.

The County reserves the right to modify, amend, or terminate any benefit or leave plan in effect at any time.

EDUCATIONAL ASSISTANCE

The County may provide full time employees with three years of full time consecutive employment, tuition reimbursement for any courses approved in advance by the Department Leader and approved by the County Manager or designee. Courses must be taken from an accredited institution of higher education. Online-courses are eligible. Course must be taken voluntarily by the employees, not on work time and must be related to the employee's job.

To receive reimbursement, employees must complete an Educational Assistance Application form and receive written permission from their Department Leader and the County Manager or designee. At the completion of the course, to receive reimbursement, employees must receive a grade of "C" (80) or better, proof of payment and proof of grade. The Department Leader or the County Manager or designee may deny reimbursement if funding is not available in the Department budget. The employee will receive a complete written explanation of denial from the County Manager or designee.

HOLIDAYS

Paid holidays will be immediately granted to all full-time employees. Part-time employees who are normally scheduled to work a minimum of 20 hours and are scheduled to work the holiday will receive holidays pro-rated at 50% of their regular pay. Temporary, Seasonal and Reserve employees are not eligible for holiday pay.

The County recognizes a total of twelve and one half holidays the following holidays for non-union employees for pay purposes. Employees represented by unions should refer to their respective contracts to determine holiday pay eligibility and the number of recognized days.

The County recognizes the following holidays:

- New Year's Day
- Martin Luther King, Jr. Day
- President's Day
- Patriot's Day
- Memorial Day
- Independence Day
- Labor Day
- Columbus Day
- Veteran's Day
- Thanksgiving Day
- Friday following Thanksgiving Day
- ½ Day before Christmas
- Christmas Day

In addition to the above scheduled holidays, employees covered by this policy shall receive any holidays declared as holidays by the President of the United States, the Governor of the State of Maine and by the York County Commissioners.

An employee shall not be eligible for holiday pay if he/she is on paid sick leave or on authorized leave of absence with pay

To be eligible for holiday pay, the employee must have worked their last scheduled work day prior to the holiday and/or their first scheduled work day after the holiday, unless the employee is excused by the Department Leader.

The County will calculate pay for all eligible employees for holiday benefit hours in the pay week that the holiday occurs.

PAID TIME OFF (PTO) POLICY

The County provides eligible non-union employees with annual periods for rest and relaxation in recognition of services performed.

Non-Union full time employees shall receive forty-one (41) personal days per year, which may be used at the employee's discretion. Employees covered by this policy are encouraged to use a minimum of three (3) five (5) day periods per year.

Part-time employees may accrue PTO at the rate of 0.0788 hours accrued per hour worked. The amount of time for which pay will be received will be based upon the employee's average hours worked for the year to date (not to exceed 8 hours per day).

Temporary, Seasonal and Reserve employees are not eligible for Personal Time Off.

It is the responsibility of the Department Leader of each department to coordinate the vacation schedule for their staff to ensure a minimum of interference with work scheduling.

PTO will be granted, insofar as practical, at the times desired, with first choice going to employees based upon length of service. The Department Leader has the final decision to grant a specific date for any vacation.

It is the employee's responsibility to inform his or her Department Leader in advance of the dates that the employee desires to use PTO. Insofar as practical, PTO must be taken as scheduled.

In the month of December, the County will buy back up to ten (10) days of unused leave time for Non-Union, full-time employees. Non-Union full time employees covered by this policy may carry forward a maximum of twenty-five (25) days. Said twenty-five (25) days may be maintained from year to year but may not be increased above twenty-five (25) days.

The Finance Department will be responsible for maintaining a record of accumulated days and the current balance of each employee.

Accrued vacation leave shall be paid to employees who separate from County service. The accrual will be calculated on a monthly basis at a rate of 3.416 days per month. Payments will not be made prior to the employee completing his last day of work but will be paid within 14 days of the last day worked. Accrued vacation leave shall be paid to the beneficiaries or their estate upon their death.

Inquiries regarding Paid Time Off should be referred to the Department Leader.

VACATION TIME

The County provides vacation time for those employees in the respective unions. Department Leaders and employees should refer to their contracts.

Nonunion employees are eligible for Paid Time Off (see Paid Time Off Policy).

HEALTH INSURANCE PROGRAM

The County provides a comprehensive hospital and medical insurance program for full-time employees. The County pays a portion of the cost.

New employees are eligible to join the plan after being employed thirty (30) days. The employee will be enrolled in the plan on the first day of the next month following their thirty (30) days of employment. Enrollments outside of this timeframe will be governed by the contract.

Employees who qualify for health insurance coverage under this policy but elect to be covered by a spouse's health care plan or another plan may be entitled to a cash payment as determined by contract or vote of Commissioners for non-union prorated over 12 months after certifying other coverage to the County. The amount of the cash payment will be determined annually and employees may get this information upon request to the County Manager or designee. The employee will thereafter be ineligible for County health insurance coverage for the succeeding 12 months unless a qualifying event occurs within this period.

GROUP DENTAL INSURANCE

The County provides a comprehensive dental insurance program for full-time employees who are regularly scheduled to work a minimum of thirty-five to thirty-seven and one-half (37 1/2) hours a week and their dependents. The County pays a portion of the cost. The program is not available to Part-Time, Temporary, Seasonal or Reserve employees.

Participation in the program is available on a voluntary basis beginning on the first day of the month following thirty days of employment. No medical examination is required in order to participate in the plan.

The full terms of the coverage of this program are included in the insurance contract between the County and the provider and are not repeated here. A summary of the general protection available under the plan is given to each employee who is eligible to participate. Specific questions from an employee and interpretation of individual case questions should be determined only in accordance with the terms of the insurance contract. This document is available in the County Manager or designee's Office for any employee to refer to upon request. A copy of each Plan Booklet given to each eligible employee is attached to these policies.

The County pays the full cost of the plan for participating employees and a position of the cost for their dependents.

The same provisions, which apply to the termination of hospital and medical insurance, are applicable to the termination of dental insurance.

COBRA

The federal law known as "COBRA" requires that those employers who sponsor group health plans must also offer employees and their families the opportunity for a temporary extension of health coverage (called "continuation of coverage") at group rates in certain instances where coverage under the plan would otherwise end.

Coverage for these plans ends as of the first of the month following your termination date or the date of a reduction in hours, which results in a loss of benefits eligibility. You and any covered family members at the time of your termination are eligible to elect continuation coverage through the Consolidated Omnibus Budget Reconciliation Act (COBRA). COBRA allows you to continue your coverage uninterrupted for a period of up to 18 months by paying the full premium cost plus 2% in administrative fees. You have 60 days from the date your coverage ends to elect COBRA. If the election form is completed and returned to the County Manager or designee within the 60-day window, your

coverage is reinstated retroactively to the date it ended. If coverage is elected, the insurance carrier would then send billing information to the employee. If the employee does not choose continuation coverage, his or her group health insurance will end.

Special COBRA Election Period for Dependents: Covered dependents of employees can also elect COBRA continuation coverage for a period of up to 36 months if the loss of insurance is caused by such things as:

- Death of the employee;
- Divorce, legal separation or the termination of a Domestic Partnership
- Loss of dependent child status (child's 26th birthday)

Under "COBRA", an employee or family member has the responsibility to inform the County Manager or designee of a divorce, legal separation, or a child's losing dependent status within 30 days after the occurrence of such an event. The Department Managers have the responsibility to notify the County Manager or designee or his designee of an employee's death, termination of employment, lay-off, or Medicare eligibility. When the County Manager or designee is notified that one of these events has happened, the County Manager or designee will in turn notify the employee that he or she have the right to choose continuation coverage.

If the employee chooses continuation coverage, the County is required to give him or her coverage, which, as of the time coverage is being provided, is identical to the coverage provided under the plan to similarly situated employees or family members. The employee does not have to show that he or she is insurable to choose continuation coverage.

COBRA also provides that an employee's continuation of coverage may be cut short of the full coverage period if the employee fails to pay the premium.

GROUP LIFE INSURANCE

The County provides Group Life Insurance at the value of one times the employee's annual salary. The full terms of the coverage of these programs are included in the contract between the County and the insurance carriers. A detailed explanation of the coverage is included in the booklets issued to each employee eligible to participate. Specific questions from employees and interpretation of individual cases should be determined only in accordance with the terms of the insurance contract. Questions should be referred to the County Manager or designee for a prompt response.

Full-time employees are eligible for coverage on the first day of the month following thirty days of employment. The program is not available to Part-Time, Temporary, Seasonal or Reserve Employees. No medical examination is required in order to receive coverage.

The County pays the full cost of this program.

The County also provides the option of purchasing Supplemental Life Insurance to its full-time employees. The full terms of the coverage are included in the contract between the County and the insurance carrier.

FLEXIBLE SPENDING ACCOUNT

The County offers its full time employees a Flexible Spending Account. A Flexible Spending Account (FSA) is a benefit governed by the IRS and sponsored by the County, which allows employees to pay certain health care and/or dependent care expenses with pre-tax money. Money is diverted out of each of their paychecks on a pre-tax basis and put into a Health Care Reimbursement Account and/or a Dependent Care Assistance Account. Since the money the employees put into the FSA accounts is non-taxable, employees will save Federal Income Tax, FICA and State Income Tax.

Employees can enroll in the FSA at the time they enroll in the Health Insurance Plan. Once enrolled, employees are allowed to draw money out of the accounts to pay for allowed out-of-pocket medical and/or dependent care expenses incurred during the plan year, which are not reimbursed from insurance or other sources.

Prior to the start of each plan year, employees estimate how much money they expect to spend in health care and/or dependent care expenses for the year, up to the maximum allowed by the IRS. IRS regulations stipulate that once an employee enrolls in a Health Care Account and/or Dependent Care Account the election is locked in for the balance of the year. Employees may be allowed to make an election change only if they have a qualifying change in family status (birth, adoption, marriage, divorce, death) or employment status (changing from full to part-time). Expenses must be incurred during the plan year and cannot be eligible for reimbursement from any other source. At the end of each plan year there is a run out period for the employee to submit claims with receipts to the County's provider for reimbursement. Any monies left unclaimed at the end of the run out period will be forfeited to the County.

RETIREMENT PLANS

The County contribution is determined on an annual basis depending on the plan chosen or a combination thereof with the County contribution not to exceed 10%. Where employment is subject to a collective bargaining agreement the terms of the collective bargaining agreement are to control.

Maine State Retirement System

All full time County employees may, at their discretion, participate in the Maine State Retirement System. Participation in the plan will begin upon employment.

Employees who choose to join the plan shall contribute a percentage of their wages, as determined by Maine Public Employees Retirement System, the contribution being in the form of a deduction from each paycheck. The County shall, in turn, contribute at a level to be determined annually by the actuary for the Maine State Retirement System.

Any participating employee terminating from the County may, at his/her discretion, withdraw his/her contributions by filing proper application to the Maine State Retirement System. Employees should see the MSRS website for more information.

ICMA 457 Deferred

Employees may choose to participate in a comprehensive 457 plan. The County will match a percentage of employee contributions to the plan. The employee's contribution to the plan will be determined on an annual basis by the County and will be communicated to all participants.

The full terms of the coverage of this program are included in the retirement plan contract and are not repeated here. A summary of the general protection available under the plans is given to each employee who is eligible to participate. Specific questions from an employee and interpretation of individual case questions should be determined only in accordance with the terms of the Contract. This document is available in the County Manager or designee's Office for any employee to refer to upon request. A copy of each Plan Booklet given to each eligible employee is attached to these policies.

SHORT-TERM AND LONG-TERM DISABILITY INSURANCE

The County provides short-term and long-term disability insurance to its full-time employees. The program is not available to Part-time, Temporary, Seasonal or Reserve employees.

Short Term Disability Insurance

Short Term Disability Insurance (sometimes called an STD Plan) pays eligible employees a portion of their wages if they miss work because of a non-work related illness or injury. Employees should consult their union contract for specific elimination periods. Short-term disability pays benefits for up to 26 weeks. Reasons for being on short-term disability might include: accidental injury (not covered by worker's compensation), sickness, pregnancy, mental illness or substance abuse treatment surgery, or other medical treatment.

If an employee becomes unable to work due to an accident, illness or scheduled surgery, they should notify their supervisor or Department Leader. The Department Leader should then notify the County Manager or designee. The employee will be required to apply for a Medical Leave of Absence to the County Manager or designee by requesting, completing and returning a Leave of Absence form to the County Manager or designee. The employee's doctor will also need to provide the County's insurance carrier with the medical information needed to approve the STD claim. Approved STD benefits are paid directly by the insurance carrier to the employee. After that, benefits may be available to you.

If the employee is qualified based on length of service and the seriousness of the illness, he or she will automatically be placed on a Family and Medical Leave (see policy FMLA).

While an employee is on STD, the County will continue the employee's health benefits at the same level as if the employee had continued to work for a period of 12 weeks. From weeks 13-26, benefits may be available to the employee for a maximum of 26 weeks at the same level and under the same conditions as if the employee had continued to work. STD pays 70% of the employee's pay. The employee will be required to use their accrued time to make up the difference in their pay. They may keep 80 hours of accruals. An employee presently pays a portion of the premium for his or her health care. While on STD leave, the employee must continue to make this payment, either in person or by mail. The payment must be received in the Finance Department by the first day of each month. If the payment is more than 30 days late, the employee's health care coverage may be dropped and the employee will be offered COBRA benefits (see policy COBRA). The County will provide 15 days' notification prior to the employee's loss of coverage.

Long-Term Disability (LTD)

If a full-time employee is unable to work for medical reasons for more than 26 weeks, he or she may be eligible for Long-Term Disability (LTD).

The County pays the full cost of the insurance premiums for the LTD plans for 100%. All eligible employees are automatically enrolled. LTD insurance pays up to 60% of your regular monthly earnings. LTD benefits are offset or reduced by any amounts that you may receive from Social Security Disability or other forms of income.

If an employee is unable to return to work after 26 weeks of being on an approved STD, the County Manager or designee will assist the employee in filing a LTD Claim with the County's insurance carrier. While on LTD, employees are not eligible for any other benefits provided by the County.

PERSONAL LEAVE OF ABSENCE

Occasionally, extraordinary, unavoidable, or unfortunate circumstances arise in an employee's personal life, which are so compelling as to require his or her full attention for a period of several weeks or months. In recognition of such situations, the County may authorize, upon request of the employee and with the approval of the Department Leader and the County Manager or designee, a personal leave of absence, with or without pay, which permits the employee to be temporarily relieved of his or her duties at the County while attending to personal matters. An employee is expected to first use all other available paid time hours equal to their normal and customary work week hours (personal time, vacation and sick days) before requesting necessary personal unpaid leave of absence.

Eligibility

Any full-time employee, with a minimum of three years continuous employment at the County, is eligible to apply for an unpaid leave of absence for a period no more than one year of necessary absence.

Employee Benefits During Leave

Medical and Life Insurance Plans – The County will not continue its usual contributions to an employee's benefits during an authorized personal leave. However, an employee may retain membership in the County group medical insurance plans for the duration of the authorized personal leave. The employee will assume the full cost of premium payments for any plans, which he or she wishes to continue during the leave. It is expected that employees will be responsible for the first two months of premium prior to the leave. Thereafter, payment must be received by the first of the month. If payment is thirty days late, insurance will drop and COBRA begins.

While an employee is on a Personal Leave, the County will continue the employee's health benefits at the same level as if the employee had continued to work for a period of 12 weeks. From weeks 13-26, benefits may be available to the employee for a maximum of 26 weeks at the same level and under the same conditions as if the employee had continued to work. The employee will be required to use their accrued time during the period of the leave. They must keep 80 hours of accruals. An employee presently pays a portion of the premium for his or her health care. While on a Personal Leave, the employee must continue to make this payment, either in person or by mail. The payment must be received in the Finance Department by the first day of each month. If the payment is more than 30 days late, the employee's health care coverage may be dropped and the employee will be offered COBRA benefits (see policy COBRA). The County will provide 15 days' notification prior to the employee's loss of coverage.

Holidays - No holiday pay will be earned nor will the employee be allowed to accrue holidays, which occur during an authorized personal leave.

Vacation Days - During an authorized personal leave, no vacation credit is earned.

Sick Days - During an authorized personal leave, no sick day credit is earned.

Bereavement Leave - If a family death occurs during an authorized personal leave, no funeral leave benefits are available.

Jury Duty - No jury duty benefits will be granted to an employee on authorized personal leave.

Seniority Rights – Full seniority rights shall be maintained during the leave.

Authorization and Procedures

To apply for unpaid personal leave, an employee should submit to his or her Department Leader and the County Manager or designee a "Request for Leave of Absence" form stating in detail the special circumstances necessitating the leave and estimating the probable duration of his or her absence. Upon receipt of the employee's written request, the Department Leader and the County Manager or designee, taking into account the operational needs of the department, will decide whether the employee can be released from work for the time requested.

If the Department Leader and the County Manager or designee believes the circumstances of the employee's situation are serious or compelling enough to warrant the granting of an unpaid personal leave, the Department Leader will assist with the employee in suggesting the length, terms and conditions of the unpaid personal leave. The Department Leader will then forward the employee's written request to the County Manager or designee.

The County Manager or designee will confirm with the employee the terms of the leave and the date of the employee's expected return to work. The employee will be responsible for keeping the department Leader informed of any changes in his or her situation which might necessitate revisions in the terms, arrangements or duration of his or her unpaid personal leave.

If the Department Leader and the County Manager or designee decides that the circumstances of a employee's situation are not serious or compelling enough to warrant the granting of a personal leave, or if, the interests of the County necessitates that the employee cannot be excused for the time requested, he or she will explain to the employee in writing the reasons for refusing to support the request.

If the employee fails to return to work at the expiration date the leave without having arranged an extension of the leave with the Department Leader and the County Manager or designee, then the failure will be deemed a voluntary resignation on the part of the employee.

FAMILY AND MEDICAL LEAVE POLICY (FMLA)

PLEASE SEE AMENDMENT:

Family and Medical Leave Policy
(FMLA)

PLEASE SEE AMENDMENT:

Family and Medical Leave Policy
(FMLA)

PLEASE SEE AMENDMENT:

Family and Medical Leave Policy
(FMLA)

PLEASE SEE AMENDMENT:

Family and Medical Leave Policy
(FMLA)

PLEASE SEE AMENDMENT:

Family and Medical Leave Policy
(FMLA)

PLEASE SEE AMENDMENT:

Family and Medical Leave Policy
(FMLA)

PLEASE SEE AMENDMENT:

Family and Medical Leave Policy
(FMLA)

MILITARY LEAVE

The County is committed to protecting the job rights of employees absent on military leave. In accordance with federal and state law, it is the County's policy that no employee or prospective employee will be subjected to any form of discrimination on the basis of that person's membership in or obligation to perform service for any of the Uniformed Services of the United States. Specifically, no person will be denied employment, reemployment, promotion, or other benefit of employment on the basis of such membership. Furthermore, no person will be subjected to retaliation or adverse employment action because such person has exercised his or her rights under applicable law or this policy. If any employee believes that he or she has been subjected to discrimination in violation of this policy, the employee should immediately contact the County Manager or designee or his designee.

Eligibility

Employees taking part in a variety of military duties are eligible for benefits under this policy. Such military duties include leaves of absence taken by members of the uniformed services, including Reservists, National Guard members for training, periods of active military service, and funeral honors duty, as well as time spent being examined to determine fitness to perform such service. Subject to certain exceptions under the applicable laws, these benefits are generally limited to five years of leave of absence.

Procedures for Military Leave

1. Unless military necessity prevents it, or is otherwise impossible or unreasonable, an employee should provide the County with notice of the need for leave as far in advance as is reasonable under the circumstances. Written notice is preferred, but not required under the law or this policy.
2. To request a temporary or extended military leave of absence, the employee should first notify his or her supervisor or Department Leader. Secondly, the employee should then obtain a Request for Leave of Absence Form from the County Manager or designee. However, a written application is not required under the law or this policy.
3. The County Manager or designee will review and sign the Request for Leave of Absence Form, collect any applicable insurance premiums from the employee, generate other applicable documents, and process

- accordingly.
4. Employees on temporary or extended military leave may, at their option, use any or all accrued paid personal, vacation and sick days during their absence.
 5. When the employee intends to return to work, he or she must make application for reemployment to the County Manager or designee or his designee within the application period set forth below.
 6. If the employee does not return to work, the Department Leader or supervisor must notify the County Manager or designee so that appropriate action may be taken.

Benefits

If an employee is absent from work due to military service, benefits will continue as follows:

1. An employee on extended military leave may elect to continue group health insurance coverage for the employee and covered dependents under the same terms and conditions for a period not to exceed 31 days from the date the military leave of absence begins. The employee must pay, per pay period, the premium normally paid by the employee. After the initial 31 day period, the employee and covered dependents can continue group health insurance up to 24 months at 102% of the overall (both the County and employee) premium rate.
2. All group insurance provided by the County will terminate the day the employee becomes active military.
3. Employees do not accrue personal, vacation or sick days while on military leave of absence status.
4. With respect to the different retirement plans provided by the County, upon reemployment, employees who have taken military leave will be credited for purposes of vesting with the time spent in military service and will be treated as not having incurred a break in service. Immediately upon reemployment, the employee may, at the employee's election, make any or all employee contributions that the employee would have been eligible to make had the employee's employment not been interrupted by military service. Such contributions must be made within a period that begins with the employee's reemployment and that is not greater in duration than three times the length of the employee's military service. Employees will receive all associated company match for such contributions.

Reemployment

Upon an employee's prompt application for reemployment (as defined below), an employee will be reinstated to employment in the following manner depending

upon the employee's period of military service:

1. *Less than 91 days of military service* - (i) in a position that the employee would have attained if employment had not been interrupted by military service; or (ii) if found not qualified for such position after reasonable efforts by the County, in the position in which the employee had been employed prior to military service.
2. *More than 90 days and less than 5 years of military service* - (i) in a position that the employee would have attained if employment had not been interrupted by military service or a position of like seniority, status and pay, the duties of which the employee is qualified to perform; or (ii) if proved not qualified after reasonable efforts by the County, in the position the employee left, or a position of like seniority, status and pay, the duties of which the employee is qualified to perform.

Employee with a service-connected disability - if after reasonable accommodation efforts by the County, an employee with a service-connected disability is not qualified for employment in the position he or she would have attained or in the position that he or she left, the employee will be employed in (i) any other position of similar seniority, status and pay for which the employee is qualified or could become qualified with reasonable efforts by the County; or (ii) if no such position exists, in the nearest approximation consistent with the circumstances of the employee's situation.

Application for Reemployment

An employee who has engaged in military service must, in order to be entitled to the reemployment rights set forth above, submit an application for reemployment according to the following schedule:

1. *If service is less than 31 days (or for the purpose of taking an examination to determine fitness for service)* - the employee must report for reemployment at the beginning of the first full regularly scheduled working period on the first calendar day following completion of service and the expiration of eight hours after a time for safe transportation back to the employee's residence.
2. *If service is for 31 days or more but less than 181 days* - the employee must submit an application for reemployment with the County Manager or designee no later than 14 days following the completion of service.
3. *If service is over 180 days* - the employee must submit an application for reemployment with the County Manager or designee no later than 90 days following the completion of service.
4. *If the employee is hospitalized or convalescing from a service-connected injury* - the employee must submit an application for reemployment with the County Manager or designee no later than two years following completion of service.

Exceptions to Reemployment

In addition to the employee's failure to apply for reemployment in a timely manner, an employee is not entitled to reinstatement as described above if any of the following conditions exist:

1. The County's circumstances have so changed as to make reemployment impossible or unreasonable
2. Reemployment would pose an undue hardship upon the County.
3. The employee's employment prior to the military service was merely for a brief, non-recurrent period and there was no reasonable expectation that the employment would have continued indefinitely or for a significant period.
4. The employee did not receive an honorable discharge or a general discharge under honorable conditions from military service.

General Benefits Upon Reemployment

Employees reemployed following military leave will receive seniority and other benefits determined by seniority that the employee had at the beginning of the military leave, plus any additional seniority and benefits the employee would have attained, with reasonable certainty, had the individual remained continuously employed. An employee's time spent on active military duty will be counted toward their eligibility for FMLA leave once they return to their job at the County. Additionally, upon reemployment, a covered employee will not be discharged except for cause for up to one year following reemployment.

Documentation

An employee's supervisor or Department Leader will, upon the employee's reapplication for employment, request that the employee provide the County with military discharge documentation to establish the timeliness of the application for reemployment, the duration of the military service, and the honorable discharge from the military service.

BEREAVEMENT LEAVE

Bereavement leave for the death of an immediate family or household member is available to full or part-time employees. Bereavement leave is available to full-time and part time employees who work twenty (20) or more hours per week. The term "immediate family" includes spouse, mother, father, foster parents, children, brother, sister, grandparents, grandchildren, father-in-law, mother-in-law, step-parents, stepchildren and persons living in the immediate household.

Part-Time employees will be granted bereavement leave on a pro-rated basis. Temporary, Seasonal or Reserve employees are not eligible for paid bereavement leave, but may request an unpaid leave.

In the event of a death in an eligible employee's immediate family or household, he or she will be allowed up to five days leave at full salary within a reasonable period following the date of death. In the event of the death of any other close relative, one day of paid leave will be granted so that the employee may attend the funeral.

If an employee requires additional time off for family reasons or to settle an estate, etc., vacation may be used to extend the period of absence.

JURY DUTY

The County recognizes that an employee is required to meet his or her civic responsibilities and will give time off when an employee is summoned for Jury Duty. Full-time and part-time employees of York County shall not lose employment, pay, or benefits while serving on Jury Duty. In the instances where the amount received for Jury Duty shall be less than that which would be earned by the employee in service to the County, the County shall pay in an amount sufficient to make the employee whole. Payment will be made on the next regular payday following presentation of a juror service certificate to your supervisor and the Payroll Clerk. The County Manager or designee must approve all Jury Duty payments.

LEAVE FOR VICTIMS OF VIOLENCE

The County will grant an unpaid leave for any employee to prepare for and attend court proceedings; receive medical treatment or attend to medical treatment or to obtain necessary services to remedy a crisis caused by domestic violence, sexual assault or stalking. The County will also provide unpaid leave for an employee to attend medical treatment of a daughter, son, parent or spouse, who is a victim of 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, stalking or any act that

would support a court order for protection. Employees must give reasonable notice of the leave to his or her supervisor or Department Leader. The County reserves the right to require appropriate proof of the need for the leave.

Typically, such leaves will not extend for long periods of time. Depending on the circumstances, the employee may qualify for a different type of leave of absence as well, such as a medical leave when the employee has suffered a serious injury.

Pay During the Leave.

Leave for victims of violence is unpaid, however employees may use available vacation time or personal time.

Benefits During the Leave.

The County will continue its normal benefits contributions toward insurance benefits for thirty days during any Victims of Violence leave. The County's retirement contributions, holiday pay and vacation and sick time accruals continue for thirty days.

Return to Work.

During the leave, the employee's position will be held open for him or her for ninety days. Any employee on leave is expected to return to work immediately at the conclusion of the leave.

WORKERS' COMPENSATION INSURANCE

As required by Maine State law, Workers' Compensation is available for coverage of costs associated with employee injuries/illnesses that arise out of or are incurred in the course of an employee's duties at work. Upon immediate reporting to a supervisor of a work-related injury or illness, a First Report of Injury Report must be completed and sent to the County Manager or designee. Using information in the report, the County Manager or designee will file a Workers' Compensation claim on behalf of the injured employee. Traveling to and from work, lunch breaks, or personal errands are not considered work-related activities.

In the event of a compensable injury or illness causing lost time from work, the Maine Workers' Compensation program provides payment of eligible medical costs and 80% of an employee's after-tax wages. There is a 7-day "waiting period" before lost wages must be paid by Workers' Compensation. This means that an employee injured in the course of his/her work that is ordered out of work by a physician must use accrued sick, personal and/or vacation time for the first seven days of absence. If the lost time reaches 8 days, then lost wages are paid at 80% of the after-tax rate, beginning from the 8th day. If the employee continues to be out of work for 14 days or more, then lost wages are paid back to the first lost day. The Maine law changes from time to time and so any employee

out on workers' compensation should check with the Worker's Compensation Board for the current benefit rate which may be in effect.

Benefits

While an employee is on workers' compensation, the County will continue the employee's health benefits at the same level as if the employee had continued to work for a period of 12 weeks. From weeks 13-26, benefits may be available to the employee for a maximum of 26 weeks at the same level and under the same conditions as if the employee had continued to work. Workers' compensation pays approximately 60% of the employee's pay. The employee may use their accrued time to make up the difference in their pay. They may keep 80 hours of accruals. An employee presently pays a portion of the premium for his or her health care. While on workers' compensation leave, the employee must continue to make this payment, either in person or by mail. The payment must be received in the Finance Department by the first day of each month. If the payment is more than 30 days late, the employee's health care coverage may be dropped and the employee will be offered COBRA benefits (see policy COBRA). The County will provide 15 days' notification prior to the employee's loss of coverage. At the end of 26 weeks, the employee's health insurance will terminate and the employee will be offered COBRA benefits.

The County will continue the eligibility for life, and membership in the Maine State Retirement System for seven months.

An employee may return to his or her former position if it is available or the employee so requests to a comparable job if they are able and medically certified to return to work within one year from the date of injury. Employment and benefits will cease if an employee does not return to work after seven (7) months from the date of injury. After a termination employees are eligible by Maine State Law to enroll in COBRA.

The County has a comprehensive Modified Duty Program administered by the County Manager or designee in close conjunction with the Department Leader. Insofar as possible, the County will make reasonable accommodations for injured employees to assist them in their safe transition back to the workplace (See Modified Duty Policy).

UNEMPLOYMENT COMPENSATION INSURANCE

Eligible employees of the County are covered by the provisions of the Unemployment Security Law (commonly referred to as "Unemployment Compensation") and are entitled to all applicable benefits under that law. This law provides weekly income benefits to all eligible individuals during periods of full or partial unemployment. Unlike Social Security taxes, the employee has no payroll deduction nor in any other way contributes toward the payment of unemployment compensation insurance – the County pays the cost of the insurance benefits paid to former employees.

The County makes every effort to provide employment for all employees. However, should a layoff become necessary, unemployment benefits will be available to those laid-off employees who qualify for this benefit.

SOCIAL SECURITY

Federal Old Age and Survivors Insurance, more commonly known as "Social Security", or "Old Age Benefits", cover employees of the County.

This is required by law and provides monthly benefit payments when an employee retires or becomes permanently disabled and unable to work any longer prior to retirement. Benefits are also available to an employee's eligible survivors in the event of his or her death.

The qualification requirements and the amount of benefits provided by Social Security are determined by complex and frequently changed federal regulations. The County has no control over these requirements. An employee with questions should be referred to the nearest office of the Social Security Administration for future guidance.

The cost of Social Security is also determined by federal law in accordance with periodic acts of the Congress. At the present time, the law requires the County and the employee share the cost on an equal basis. The employee's share is deducted from each pay that he or she receives. The amount of the deduction is determined by a schedule published by the federal government. The County contributes an equal share, and the combined sum is transmitted to the Social Security Administration for crediting to the employee's account.

The Social Security Administration handles all benefit computations and payment of benefits.

BENEFITS STATUS DURING TEMPORARY LAYOFF

This guideline reviews very briefly what happens to certain benefits during periods of layoff.

Personal Time Off

See policy covering (Personal Time Off)

Group Health and Dental

Hospital and medical coverage is continued during a temporary layoff up to 31 days. Coverage may continue in accordance with the provisions covering persons whose employment is terminated otherwise, coverage terminates on the last day of the month employee terminates. (See policy entitled "Benefit Coverage when Employees Terminate").

Group Life/ Disability (STD & LTD)

Coverage terminates 31 days after the last day of the month of termination of employment.

With the exception of the above, benefit coverage generally terminates at the time that an employee is temporarily laid off.

BENEFIT COVERAGE WHEN EMPLOYEES ARE TERMINATED (VOLUNTARY AND INVOLUNTARY)

In general, all benefit plans and coverage cease as of the date of termination, whether the termination is voluntary or whether the County has discharged the person.

Paid Holidays

No holiday pay is granted for a holiday occurring after the date of termination.

Paid Personal Time off/Vacations

The terminating employee will receive pay for any unused vacation time accrued.

Group Health and Dental Insurance

Health and dental coverage terminates on the last day of the month the employee is terminated unless the employee elects coverage under COBRA.

Group Life/ Disability (STD & LTD)

Coverage ends 31 days after termination of employment.

PLEASE SEE AMENDMENT:
Leave Sharing/Donation Policy