Town of Readfield

PERSONNEL POLICY

(Amended & Adopted 02/08/2016)



TABLE OF CONTENTS

Table of Contents	
Preamble	01
Employment	01
Employment Activity	02
Equal Opportunity Employer	02
Types of Employment	02
Explanation of Benefits	03
A. Bereavement Leave	03
B. Clothing Allowance	04
C. Course Reimbursement	04
D. Family Medical Leave	04
E. Family Military Leave	04
F. Income Protection	04
G. Jury Duty	04
H. Leaves without pay	05
I. Legislative Leave	05
J. Health Insurance	05
K. Mileage Reimbursement	06
L. Military Leave	06
M. Paid Holidays	07
N. Professional Dues Payment by the Town	07
O. Retirement Plan	07
P. Sick Leave	08
Q. Vacation	09
R. Witness Leave	09
S. Compensation	10
Time Keeping	10
Expense Reimbursement	10
Professional Development	11
Smoking Prohibited	11
Drugs and Alcohol	11
Use of Town's Equipment	11
Loss of Job as a Result of Loss of License or Certification	11
Public & Employee Relations	12
Personnel Files	12
Storm Delayed Openings & Early Closings	12
Workweek Overtime	13
Pay Days	14
Attendance	14
Political Activity	14
Harassment	14
Workplace Performance Evaluation	16
Grievances	16
Discipline	17
A. Verbal Reprimand	18
B. Written Reprimand	18
C. Suspension Without Pay	18
D. Dismissal	18
Appeals	18
Severability	18
Workplace Violence	18
Computer Use and E-Mail/Internet Access	19-23
Expense Reimbursement Voucher	24
Acknowledgement Form (sign and return to Town Manager)	25

Town of Readfield Personnel Policy

PREAMBLE:

The Select Board hereby adopts the following Personnel Policy for utilization by the Town of Readfield in the administration of personnel activities of all non-union employees of the Town of Readfield. This policy and subsequent modifications shall supersede any policy and rules made previously by the Select Board.

The Select Board may delete, amend, modify or change any or all of the provisions contained in this policy. The provisions set forth are not contractual, but rather, are for the general guidance of the Town Manager in the Town Manager's relationships with the Town employees, and for the Select Board in regard to the Town Manager's contract as noted in this policy.

EMPLOYMENT:

The employment of all municipal personnel excluding the Town Manager shall be the responsibility of the Town Manager except as noted below. Those persons who are considered employees within the Fire Department, Library, Beach Attendants and Recreation Program shall be recommended by the Fire Department, Library Trustees or Recreation Board of Trustees, as appropriate, to the Town Manager for final hiring action.

All applicants for employment shall submit a written application, and shall attach a resume with supporting documents i.e., licenses, certifications (photo copies are accepted).

The Town of Readfield relies upon the accuracy of information contained in the employment application, as well as the accuracy of other data presented throughout the hiring process and employment. Any willful misrepresentations, falsifications or material omissions in any of this information or data shall result in the Town of Readfield's exclusion of the individual from further consideration for employment or, if the person has been hired, possible termination of employment.

A Job Description for each position and/or title within Town government and each applicant shall receive a copy of the applicable Job Description along with the Application form. This Job Description shall set forth the following data:

- A. Job Title
- B. Qualifications
- C. Hours of employment
- D. Types of Employment & responsibilities
- E. Evaluated by whom
- F. Responsible to whom
- G. Certification and or License Requirements

All newly hired full- or part-time employees assigned to regular positions shall be considered in a probationary status for the first six (6) months of employment. Probationary employees may be removed from employment at any time during the probationary period without cause and without the right to file a grievance over termination of employment. A probationary employee who is terminated shall be entitled to accrued vacation leave up to and including the date of termination. Temporary/Seasonal employees changing status to a part- or full-time employee after six months will receive credit toward their probationary period for time worked as a Temporary/Seasonal employee.

Upon initial employment, the employee shall be given a copy of this Personnel Policy and the Town Manager or the Town Manager's designee shall review with the probationary employee the contents of this Personnel Policy, after which the probationary employee shall sign and date an acknowledgment form signifying that this review of the Personnel Policy has been completed to the probationary employee's satisfaction.

The Select Board under the terms and conditions contracted between the Town Manager and the Select Board shall employ the Town Manager. The provisions of this Personnel Policy do not apply to the Town Manager unless the Town Manager and the Select Board agree contractually that this Personnel Policy does apply in whole or in part. The Town Manager shall be subject to political activity, harassment, workplace violence and computer use provisions contained herein.

EMPLOYMENT ACTIVITY:

Each full-time employee, prior to engaging in any non-Readfield employment must discuss the matter with the Town Manager, other supervisor or respective Board. No employment will be allowed that is in conflict with the employee's duties, functions and responsibilities with the Town that would impact on the employee's ability to fully meet job expectations; or is in conflict with the interests of the Town.

EQUAL OPPORTUNITY EMPLOYER:

The Town of Readfield is an equal opportunity employer and shall provide all employees and prospective employees' equal opportunity for employment regardless of sex, sexual orientation, age, race, color, religion, national original, ancestry, physical or mental disability as well as protection against whistleblower's retaliation and previous Worker's Compensation claims.

Reasonable accommodations shall be made for any otherwise qualified individual, applicant or employee who requests such an accommodation. Reasonable accommodations apply to people with disabilities as well as religion in accordance with the provisions of the Maine Human Rights Act and the Americans with Disabilities Act.

Applicants must meet the minimum requirements for the position applied for. The Town Manager shall employ from the applicants, the best-qualified person available for the position with preference given to residents of Readfield, all other factors being equal.

TYPES OF EMPLOYMENT:

The Town Manager shall assign newly hired employees to one of the following categories of employment. Should the Town Manager later determine after consultation with an employee and the employee's other supervisor or respective Board, if any, that the employee's work

schedule/status should be changed to a different employment category, the Town Manager may reassign the employee to a different employment category. An employee shall not suffer a loss in accrued fringe benefits when assignment to a different employment category is made by the Town Manager.

Full-Time

A "full-time employee" shall be an employee assigned to work 30 hours or more per week on a continuing basis.

Part-Time

A "part-time employee" shall be an employee who is assigned to work less than 30 hours per week on a continuing basis.

Other

An "other" employee shall be an employee who is employed temporarily or seasonally or for some other limited period of time as determined by State law.

BENEFITS IN GENERAL:

Full-time employees shall be entitled to all the benefits provided by this Personnel Policy under the Full-Time Employees Benefit section and the Part-Time Employees shall be entitled to all the benefits provided by this Personnel Policy under the Part-Time Employees Benefit section. Other employees shall not be entitled to any benefits unless otherwise granted by the Town Manager and/or the Select Board.

Additional benefits may be granted to a category of employee(s) by amendment to this Personnel Policy.

Full-Time Employees shall be entitled to the following benefits as described herein:

Leave without pay Paid Holidays

Perceyoment Leave Legisletive Leg

Bereavement Leave Legislative Leave Professional Dues
Course Reimbursement Library Card Retirement Plan
Family Medical Leave Life Insurance Sick Leave
Family Military Leave Medical & Dental Insurance Vacation
Income Protection Plan Mileage Reimbursement Witness Leave

Jury Duty Leave Military Leave Paid storm days and delays

Clothing allowance (for Maintenance, ACO, and Transfer Station positions)

Part-Time Employees shall be entitled to the following as defined herein:

Leaves without pay Paid Holidays*

Bereavement Leave Library Card Sick Leave
Family Medical Leave Mileage Reimbursement Witness Leave
Family Military Leave Military Leave Vacation

Jury Duty Leave Paid storm days and delays

*If holiday falls on their regular scheduled workday

EXPLANATION OF BENEFITS:

BEREAVEMENT LEAVE:

Full-time employees may be excused from work for up to five (5) work days; part-time employees may be excused for a pro-rated period based on the full-time workweek,

immediately following the death of a member of the employee's immediate family as defined in the Sick Leave section. Bereavement leave is for the purpose of handling necessary arrangements and attendance at the funeral, memorial service or burial. In extenuating circumstances, the Town Manager may grant, upon request from an employee, additional bereavement leave that shall be deducted from the employee's accumulated sick leave.

The Town Manager may on a case-by-case basis grant an employee one (1) workday in each instance with pay for attendance at a funeral, memorial service or burial for a person not covered under the above definition. Unpaid leave may be utilized by an employee for one workday of bereavement leave not covered under the above definition.

Bereavement leave shall be paid only for the employee's regularly scheduled workdays or portion thereof.

CLOTHING ALLOWANCE:

For full-time Maintenance and Transfer Station employees, plus Animal Control Officer(s) (ACO), the Town will provide annually any required personal protective gear or equipment, and one pair of steel-toed boots (up to \$100 value), plus \$200 toward the purchase of any work or winter clothing as a paid employee benefit. Part-time and seasonal employees will receive any required personal protective gear for use during employment.

COURSE REIMBURSEMENT:

The Town Manager may approve release paid time and mileage reimbursement to full-time employees to attend educational courses which are to the benefit of the Town. The Town may cover the cost of tuition and fees for up to two (2) courses during a fiscal year. The employee shall provide the Town Manager with an official copy of the course grade received upon completion of the course(s) taken. In the event, the employee receives a course grade of less than a "C" and/or does not complete the course; the employee shall reimburse the Town for any costs incurred by the Town on behalf of the employee for tuition and fees.

FAMILY MEDICAL LEAVE:

Family Medical Leave shall be defined and granted to employees as provided under 26 MRSA Sections 843-848.

An Employee may use accumulated sick leave during any period of family medical leave.

FAMILY MILITARY LEAVE:

Family Military Leave shall be defined and granted to employees as provided under 26 MRSA Section 814.

INCOME PROTECTION PLAN:

The Town shall offer all full-time employees who meet the insurer's eligibility requirements, and who request such coverage from the Town, the option to enroll in a short-term disability Income Protection Plan (IPP). Each full-time employee who enrolls in the IPP shall pay 100% of the premium cost. The IPP will cover benefits up to 70 % of an employee's salary.

JURY DUTY:

The Town shall pay to an employee called for jury duty on an employee's regular scheduled work day, the employee's regular pay, provided the Town is reimbursed by the employee for all jurors' pay received by that employee. The employee must present an official statement of

attendance including the amount of jury duty pay within thirty days from the date the employee received payment.

LEAVES OF ABSENCE:

The Town Manager may grant a leave of absence with pay to employees whenever the Town Manager considers such leave in the Town's best interest. Such leave shall include the leave for the purpose of attending professional conferences, work-related conventions, training institutes, seminars and schools.

The Town Manager may grant leave without pay to any employee for a period of time that should not exceed thirty (30) consecutive workdays. In all cases, such leave without pay shall only be granted if it results in no substantial burden on the Town or on other Town employees. During periods of leave without pay, no employee shall be paid for holidays, nor accrue vacation and/or sick leave. An employee may also be responsible for all costs of their benefits.

LEGISLATIVE LEAVE:

Legislative Leave shall be defined and granted under the provisions of 26 MRSA Section 821.

HEALTH INSURANCE

Section 1 – Health Insurance

The Town shall provide all full-time employees with 100% paid medical insurance with coverage and benefits under the MMEHT POS 200 plan. If requested by the employee, medical and/or dental coverage for the dependents of employees may be included on the Town's policy at the employee expense.

The Town will establish an employee account in the amount of \$700 for this plan to be used towards the out of pocket maximum associated with the POS 200 plan. The Town will maintain this amount for each employee yearly. If the employee wishes to use the MMEHT POSC plan they will be responsible to pay any fee difference above the POS 200 plan.

Section 2 - Dental Insurance

The Town shall pay and provide the full cost of an employee coverage dental plan for full-time employees.

Section 3 - Income Protection

The Town shall offer all full-time employees who meet the insurer's eligibility requirements the opportunity to enroll in a short-term disability income Protection Plan (IPP will cover benefits up to 70% of an employee's salary), paid in full by the employee.

Section 4 – Life Insurance:

The Town shall provide each full-time employee enrolled in a Town sponsored health plan with term life insurance equal to the employee's annual projected wages, without consideration of overtime, rounded down to the nearest thousand dollars.

Section 5 - Cash in Lieu of Insurance

Any full-time employee may take the option of having the Town provide cash in lieu of insurance coverage upon proof of their enrollment in an alternate medical insurance plan at a rate of one-half (50%) of the cost of enrollment in the Town's plan. Such reimbursement shall

be paid monthly.

Section 6 - Vision Plan

The Town will implement the MMEHT or an equivalent vision plan. The Town will pay one hundred percent (100%) of the monthly premiums towards single coverage for full-time employees.

MILEAGE REIMBURSEMENT:

When practical, every effort shall be made for employees to use a Town vehicle for Town purposes. Town employees shall be reimbursed for all actual and necessary use of private motor vehicles on Town business at the current mileage rate established by the Internal Revenue Service, plus tolls and parking charges submitted on an expense report form along with receipts, for approval by the Town Manager. Mileage reimbursement shall be determined based upon the most direct round-trip distance between the employee's place of work or home (whichever is less) and destination. Mileage reimbursement for commuting between an employee's home and place of work is not permitted.

Any private motor vehicle used for Town business shall be properly registered and insured by the owner of the vehicle against liability and the operator shall have a valid driver's license. Additionally, a current Maine Motor Vehicle Insurance Identification Card for the privately owned vehicle being utilized shall be within the vehicle. The Town will provide at its expense an additional liability insurance rider to the employee's liability insurance providing the Town insurance coverage in the event the employee is in an accident while driving and conducting town business.

MILITARY LEAVE:

An employee who is enlisted in the Armed Forces Reserve or National Guard will be given leave for the time spent in reserve camp, in addition to vacation. For reserve camp leave, in addition to vacation, the employee may receive the difference between his/her normal salary and the total compensation received from the service to which the employee belongs. Leave for reserve camp may not exceed a yearly total of fifteen (15) days. If an employee takes reserve camp leave and vacation at the same time, the employee will receive his/her regular check for vacation and will not receive any additional benefit for time at camp.

Any employee who is drafted into active service in the Armed Forces of the United States while in the service of the Town of Readfield, shall be granted a leave of absence for the period of required military service.

A full-time employee or a part-time employee who is a member of the military forces including the Maine Army and Maine Air National Guards and the Reserves of the United States Armed Forces, who, in response to federal or state orders, takes a military leave of absence shall give notice to the Town of their absence for military duty and as required by the Town Manager, obtain a confirmation from the Adjutant General, Camp Keyes, Augusta or applicable reserve component headquarters, of satisfactory completion of their military duties upon return to active employment status with the Town or immediately thereafter.

Any employee who has been on military leave of absence and who is still qualified to perform the duties of the employee's former position, must be reinstated without loss of pay, seniority, benefits, status, and any other incidences or advantages of employment as if the employee had remained continuously employed. The period of absence shall be construed as an absence with leave.

An employee who is on military leave of absence shall continue to accrue normal vacation, sick leave, bonus (if any), advancement and other advantages of employment normally to be anticipated in the employee's particular position.

PAID HOLIDAYS:

The following holidays, as observed by the State, shall be paid holidays for eligible employees when recognized holidays fall on the scheduled workday of the employee. The employee will be paid for the number of hours that the employee was normally scheduled to work on that day.

New Year's Day	Memorial Day	Veterans' Day
Martin Luther King Day	Independence Day	Thanksgiving Day
Presidents' Day	Labor Day	Day after Thanksgiving
Patriots' Day	Columbus Day	Christmas Day

Whenever a designated holiday falls on a Saturday or on a Sunday, that employee shall receive either the actual holiday off from work, or holiday pay plus-payment at a rate of time and a half the employee's hourly rate for actual hours worked on the holiday, or a "floating holiday" to be taken as time off from work if the holiday falls on the employee's regular day off, as negotiated with the Town Manager at least one week prior to the holiday.

The Town Manager may require an employee to work part or all of a holiday and such employee shall be compensated in accordance with the section on Workweek/Overtime.

PROFESSIONAL DUES PAYMENTS BY THE TOWN:

The Town shall pay professional dues for full-time employees in certain professional organizations when deemed beneficial to the Town. The full-time employee must request the Town to pay the dues to the organizations. The following are the guidelines that will be used in the Town's decision as to whether or not certain organizations are eligible under this provision:

- The activities of the organization are those which assist the full-time employee in obtaining training and/or providing better service to the citizens of Readfield;
- The organization's activities are those which specialize in the full-time employee's primary area of work;
- The membership fees payable by the Town in the organization shall not total more than \$100 annually per full-time employee;
- The organizations do not in any way advocate the welfare interests of employees.

RETIREMENT PLAN:

The Town shall contribute a percentage of each full-time employee's wages to an Internal Revenue Service qualified retirement fund on behalf of employees for employees hired before July 1, 2015 as follows:

Employer's Contribution	Employer will match up to the following % of the Employee's contribution	
0	0	
3%	1%	
e 5%	2%	
6%	3%	
	0 3% e 5%	

The Town shall match up to five (5%) percent of each full-time employee's wages to an Internal Revenue Service qualified retirement fund on behalf of employees hired after July 1, 2015.

SICK LEAVE:

One day of sick leave per month shall be based on a 40-hour work week and prorated for more or less actual hours worked.

Sick leave shall not accrue beyond a maximum of 450 hours for full-time employees and for a maximum accumulation of 225 hours for part-time employees. For employees hired prior to November 1, 2015, upon separation of employment in good standing, the employee shall receive 50% of the value of accrued sick time. Employees hired after November 1, 2015, upon separation of employment in good standing, the employee shall receive 0% of the value of accrued sick time. In the event of the death of an employee, compensation for all unused, accumulated sick time shall be paid to the beneficiary designated by the employee under the Town's Group Life Insurance or to the estate of the deceased.

Sick leave may be used only for the following:

- * Bona fide employee illness and incapacity;
- * Serious illness requiring care of a member(s) of the employee's immediate family or domestic partner as provided for in the Family Medical Leave, 26 MRSA section 843. For extended use of this provision, the employee shall provide the Town Manager with a medical certification of the illness and a statement for the need for care;
- * Employee's medical or dental appointments and for transporting a dependent immediate family member to medical and dental appointments.

Immediate family shall be defined as husband, wife, son, daughter, foster child, mother, father, grandmother, grandfather, grandson, granddaughter, in-law, step relationships, or those sharing a unique relationship with employee, as approved by the Town Manager. A unique relationship shall be defined as a relationship that exists between an employee and another person over a period of time and which evinced a state of responsibility, caring and closeness similar to kinship.

If requested by the Town Manager, an employee who has been on sick leave for more than three consecutive days shall furnish the Town Manager with a certificate from a doctor verifying the incapacity of the employee. Refusal to provide a doctor's certificate as requested by the Town Manager may result in non-payment of sick leave.

The Town Manager shall review all sick leave records periodically and shall investigate any case that indicates abuse of sick leave. Abuse of sick leave shall be subject to disciplinary action.

The Town Manager, at his discretion, may require an employee to leave the work place if he or she feels that the employee is too sick or contagious to be at work. The employee may use his or her sick time while out. The employee may return to work the same day if he or she obtains a doctor's certificate stating that the employee is healthy enough to return to the work place.

VACATIONS:

Full-time employees shall earn vacation leave as follows:

Time Employed	Days Earned Per	r Month Tota	al/Year
0 to less than 24 months employment	1	12	
2 years to less than 5 years employment	1 1/4	15	
5 years to less than 10 years employment	1 ½	18	
10 years or more of employment	13/4	21	

Vacation leave for part-time employees shall not accrue beyond a proration of the above hourly limits for full-time employees based on actual hours worked.

One day of vacation shall be calculated at the rate of eight (8) hours for a 40-hour work week and prorated for more or less actual hours worked.

Employees shall be assessed vacation time based on the employee's weekly scheduled hours.

Vacation leave shall be accrued through the payroll system and noted on each employee's payroll check stub in hours accrued to date.

No vacation leave may be taken during the first six (6) months of employment. No vacation may be taken in anticipation of future accruals.

Vacation leave shall not accrue beyond 120 hours. Any vacation days in access of 120 hours will be used within three (3) months or it will be forfeited.

An employee who severs employment shall be paid for the value of accrued vacation leave calculated at the employee's final rate of pay. In the event of death of an employee, compensation for unused accumulated vacation leave shall be paid to the beneficiary designated by the employee under the Town's Group Life Insurance or to the estate of the deceased.

Vacations shall be scheduled at such time or times as shall be mutually agreeable to the employee requesting the vacation leave and the Town Manager, other supervisor or respective Board will not be denied except for operational needs.

WITNESS LEAVE:

The Town shall pay an employee subpoenaed as a witness on an employee's regular scheduled work day the employee's regular pay provided the Town is reimbursed by the employee for all witness pay received by that employee. The employee must present an official statement of attendance at court/hearing including the amount of the witness fee received. This provision does not cover an employee of the Town who is a plaintiff in a lawsuit or complaint against the Town

COMPENSATION:

Compensation shall be established annually by the Select Board to coincide with the beginning of the fiscal year subsequent to receiving a lump sum recommendation on compensation from the Town Manager.

It is the objective of the Town of Readfield to pay employees on a basis that will attract and retain well-qualified, experienced and responsible employees. The specific duties and responsibilities of a position as set forth in the position's job description shall be major factors in determining the rate of compensation. Compensation may be given to individuals performing similar duties in the municipal sector.

Each employee shall have a work schedule as prescribed by the Town Manager after consultation with the affected employee and the employee's other supervisor or respective Board. Employees with a prescribed work schedule shall have specific, regular working days and hours and the schedule may require either a minimum or maximum number of hours of work per week or month.

A full-time employee or a part-time employee who is also a volunteer for the Readfield Fire Department shall be allowed to be "On-Call" during the employee's normal working hours for emergencies involving the Fire Department. The employee shall be paid the employee's regular hourly rate of pay when an "On-Call" emergency occurs during the employee's normal work hours. The employee shall make arrangements with the Fire Chief and Town Manager to ensure that primary job requirements are met. Under no circumstances shall the effected employee receive compensation for the same hours from both the Fire Department and the Town.

TIME KEEPING:

Accurately recording time worked is the responsibility of each hourly employee. Federal and State laws require the Town of Readfield to keep an accurate record of the time worked in order to calculate employee wages. Time worked is the time actually spent on the job performing assigned duties.

Each employee shall accurately record the time they begin and end their work. They should also record the beginning and ending time of any split shift or departure from work for personal reasons. Overtime work shall be performed only with prior approval from the Town Manager and the employee's other supervisor or respective Board.

Altering, falsifying, tampering with time records or recording time on another employee's time record shall result in disciplinary action, up to and including termination of employment.

It is the employee's responsibility to sign his/her time record to certify the accuracy of all time recorded. Time records shall be countersigned by the employer's supervisor.

EXPENSE REIMBURSEMENT:

In addition to mileage, all real, actual and necessary business expenses incurred by an employee shall be reimbursed by the Town when submitted on a Town provided expense report form, along with itemized receipts. All business expenses must be approved by the Town Manager or department head as appropriate. Approved expense report forms, received

by the Town, shall be reimbursed within fourteen (14) working days from the signing of the Warrant by the Select Board on which the expenses appear.

PROFESSIONAL DEVELOPMENT:

The Town Manager may approve funds annually for training programs/sessions, seminars and conventions, or in-service training for full-time and part-time employees required by, or for the benefit of the Town. The Town shall pay the cost of any fees, tuition and materials, and mileage incurred by an employee in attending a seminar approved for attendance by the Town Manager. The employee shall also be compensated for all time attending Professional Development sessions plus travel time even if outside the normal work day.

For professional development requested by an employee and for which the Town has expended more than \$100 for fees, tuition and materials, the employee shall reimburse the Town for half of the fees, tuition and materials in the event the employee leaves Town employment within six months of the completion of the professional development, or the employee shall reimburse the Town for 25% of the cost of the fees, tuition and materials if the employee leaves Town employment between six months and one year of completion of the professional development activity.

TOBACCO USE PROHIBITED:

Tobacco use, including the use of e-cigarettes and similar devices, is prohibited in all buildings and on all grounds except in designated areas, owned, leased or otherwise used by the Town.

DRUGS and ALCOHOL:

The Town of Readfield has a zero tolerance policy for the possession, use or distribution of illegal drugs (including prescription drugs for which the employee does not have a prescription), or alcohol for its employees in the workplace. The possession, use, showing up to work under the influence of, or distribution of illegal drugs (including prescription drugs for which the employee does not have a prescription), or alcohol is prohibited in the workplace and the work area and is cause for dismissal.

USE OF TOWN HEAVY EQUIPMENT:

No employee shall operate the Town's owned or leased heavy equipment unless the employee has been appropriately trained, licensed and/or certified in the use of the heavy equipment and the Town Manager or designee has certified in writing, that the employee is knowledgeable in the proper operation of the heavy equipment. The employee shall maintain such licenses and/or certifications and the Town shall pay for such training necessary to maintain the licenses and/or certifications. Town equipment shall not be used for personal projects.

LOSS OF JOB AS A RESULT OF LOSS OF LICENSE OR CERTIFICATION:

If an employee in a specific position is required to possess a valid license and/or class of license or certification, then it shall be a condition of employment for that employee to maintain such license and/or certification. Failure to maintain such license and/or certification may result in job loss or reassignment to an alternative position. The cost of an employee's license or certification required as a condition of employment and the cost of an employee's taking courses, seminars or workshops to renew the license or certification and that is used solely for work for the Town of Readfield shall be reimbursed to the employee by the Town. Any such loss of license must be reported to the Town Manager within 24 hours of the next work day.

PUBLIC and EMPLOYEE RELATIONS:

Receipt of Gifts: A Town employee is prohibited from soliciting or accepting any gift, gratuity, favor, entertainment, loans, or any other item of monetary value from any person, within or outside Town employment, whose interests may be affected by the employee's performance or nonperformance of the employee's official duties. Acceptance of nominal gifts, such as food and refreshments in the ordinary course of business meetings, or promotional materials such as pens, note pads and calendars is permitted.

Business Activities and Solicitations:

No Town employee shall engage in any personal business activities during regular scheduled working hours. Personal phone calls, cellular phone calls or electronic mail communication shall be kept to an absolute minimum and only on breaks from regular work hours. No personal toll calls may be made during regular work hours except in the case of an emergency.

Confidentiality:

Town employees having access to confidential information pertaining to persons or property in the Town shall not use this privileged information to the employee's private advantage or to provide others with private advantages. The Town Manager, his designee, or department head is responsible for releasing information required under the Freedom of Access Act or "Right To Know" law, Title 1 MRSA, Sections 401-410.

PERSONNEL FILES:

There shall be only one (1) personnel file for each employee. The file shall be kept under conditions that insure its integrity and safekeeping. For each employee, the Town Manager shall be responsible for maintaining a personnel file and an index of its contents to include all files entered and removed. No other personnel file shall be maintained.

An employee may request from the Town Manager or the Town Manager's designee a review of his/her personnel file. Each employee shall have prompt access to their personnel file and the right to copy documents contained therein during normal work hours, under the supervision of the Town Manager or the Town Manager's designee. An employee shall be afforded the right to attach permanently a response to any document in their personnel file so long as the Town Manager is present.

No document, letter, recommendation or performance review shall be placed in any employee's personnel file unless the affected employee is given a copy of same. Said copy shall be provided/mailed to the employee at the same time it is placed in the personnel file. Anonymous or un-attributed materials shall not be placed in the personnel file.

By mutual consent between the employee and the Town Manager, any item contained in an employee's personnel file may be removed. The index will reflect dates of removal of any document.

All employee files must be kept securely at the Town Office. This also applies to the librarian and beach employees who work at other sites.

STORM DELAYED OPENINGS and EARLY CLOSINGS:

The Town Manager may delay employees reporting to work due to inclement weather or may

excuse employees from continuing to work to the end of the employee's normal workday. This provision does not apply to the Town's Maintenance Personnel. When a delay or early closure to a workday occurs, the employees affected shall receive a scheduled day's pay. A delayed opening or early closure should be announced on local radio stations and on the Town's website. The Town Manager may contact employees via telephone or their email address for delayed openings or for early closures. Employees anticipating a delayed opening must call the Town Manager within one hour of scheduled starting time if they have not already been contacted.

WORKWEEK/OVERTIME:

The regular workweek for payroll purposes shall begin on Sunday at 12:01 a.m. and end on Saturday at midnight. The actual hours of work for employees shall be established by the Town Manager at the time of initial employment and within the Types of Employment section. Any subsequent change in actual hours of work for an employee shall be established by the Town Manager utilizing the procedures in the Types of Employment section.

Any employee who works at least five (5) consecutive hours on any day may choose to have a paid lunch break of thirty (30) minutes which may be interrupted, as needed, to serve the public and to answer the telephone or the Employee may choose to have a thirty (30) unpaid lunch that shall not be interrupted. All employees' work schedules shall provide for a ten (10) minute rest period during each one-half (1/2) shift. The rest period shall be scheduled at the middle of each one-half shift whenever this is feasible.

The Town Manager may require any employee to work extra hours in order to provide Town services. If an employee is On Call for a weekend, they will be compensated by receiving a half-day (4 hours or equal to ½ of regular work day) off with pay. Any employee who is called out for work outside of and not continuous with his/her regular scheduled hours will be paid a minimum of 2 hours of the employee's regular rate of pay or hours actually worked at the appropriate rate, whichever is greater. This section shall not apply to an employee who is called in 2 hours or less prior to the start of his/her workday and who continues to work that day or shift or to an employee held over at the end of their workday.

Overtime is defined as time worked in excess of forty (40) hours in any regular workweek for hourly employees. Sick time, Vacation leave, or compensatory time taken during a workweek does not apply when calculating overtime hours. Bereavement leave and Holiday pay would apply when calculating overtime hours.. Overtime pay shall be at the rate of one and one-half times the employee's regular hourly pay rate.

In lieu of overtime pay, an employee may take compensatory time if approved by the Town Manager. Compensatory time shall be accrued at the same rate as all other hours worked in excess of forty hours in the work week. An employee exercising the option to take compensatory time in lieu of overtime compensation shall report the option to take compensatory time to the Town Manager within the pay period in which the compensatory time is earned or as soon thereafter as is practicable and shall be scheduled to be taken only with the approval of the Town Manager. The Employee may not accrue compensatory time in excess of eighty (80) total hours. An employee who severs employment shall be paid for the value of accrued compensatory time at the employee's final rate of pay. In the event of the death of an employee, compensatory time accumulated in accordance with this policy shall be paid to the beneficiary designated by the employee under the Town's Group Life Insurance or

to the estate of the deceased.

Use of compensatory time shall be scheduled at such time or times as shall be mutually agreeable to the employee requesting the vacation leave and the Town Manager and/other supervisor or respective Board and will not be denied except for operational needs.

PAY DAYS:

Employee shall be paid every other Thursday. If a payday falls on a holiday, the employees shall be paid on the preceding workday.

ATTENDANCE:

Each employee shall be in the employee's respective place of work at the appointed scheduled time. An employee who is absent from work has the responsibility to notify the Town Manager or his/her Supervisor of the reason for such absence, if not previously arranged for, if possible, as soon as possible prior to the starting time of the employee's workday.

POLITICAL ACTIVITY:

While an employee is performing the employee's normal work duties, the employee shall refrain from seeking or accepting nomination or election to any office in Town government, from using the employee's influence in any way for or against any candidate for elective office in Town government, using the employee's influence for or against any matter that is pending before any Town Meeting, Select Board or any board or committee appointed by the Select Board. This policy is not to be construed to prevent Town employees from becoming, or continuing to be members of any political organization, from attending political meetings, from expressing the employee's views on political matters, on their own time, or from voting with complete freedom in any election.

HARASSMENT:

It is the policy of the Town that all Town employees should be able to work in an environment free from all unwanted and unwelcome forms of harassment. Harassment, as defined by this policy, is prohibited. This policy refers not only to supervisor-subordinate actions but also to actions between co-workers, or employees and members of the public. Any complaints of harassment shall be made to the Town Manager and shall be investigated promptly. In the event that the Town Manager is the subject of the complaint of harassment, the complaint shall be made to the Chairperson of the Select Board and shall be investigated promptly. There shall be no intimidation, discrimination or retaliation against any employee who makes a report of harassment.

A. Sexual Harassment

- 1) Sexual harassment is the attempt to control, influence or affect the career, wages, or job of an individual in exchange for sexual favors. Sexual harassment can also be conduct that creates a hostile or offensive work environment or unreasonably interferes with the employee's ability to perform work. Sexual harassment is an extremely serious matter. It is prohibited in the workplace by any person and in any form.
- 2) Specific conduct which is prohibited includes, but is not limited to the following:
 - a) Threats or insinuations, implicit or explicit, that any employee's

- refusal to submit to sexual advances will adversely affect the employee's retention, evaluation, wages, promotion, duties or any other condition of employment;
- b) Unwelcome sexual flirtations, advances or propositions;
- c) Verbal or written abuse of a sexual nature;
- d) Graphic verbal comments about an individual's body;
- e) Sexually degrading words used to describe an individual;
- f) The display in the workplace of sexually suggestive objects or pictures.
- 3) Any employee who believes he or she has been the subject of sexual harassment should report the alleged act to the Town Manager, or in the event the Town Manager is alleged to have sexually harassed an employee, to the Chairperson of the Select Board.
- 4) The Town Manager or any employee, who is found, after appropriate investigation to have engaged in sexual harassment, shall be subject to discipline, up to and including discharge.

B. Verbal Harassment

Derogatory or vulgar comments regarding a person's sex, religion, age, ethnic origins, physical appearance, sexual orientation, or the distribution of written or graphic material having such an effect, are prohibited. Any employee, who believes he or she has been the subject of such harassment, should report the alleged conduct to the Town Manager, or in the event the Town Manager is alleged to have verbally harassed an employee, to the Chair of the Select Board. Any supervisor or employee who is found, after appropriate investigation, to have engaged in any harassment shall be subject to discipline, including dismissal. An employee who reports an incident of verbal harassment to the Town Manager shall be asked to sign and date a memorandum of the incident prepared by the Town Manager as soon as possible. The memorandum shall be a recitation of the incident and shall be placed on file.

C. Written Notice

The Town annually shall provide all employees with individual written notice that includes at a minimum the following information: the illegality of sexual harassment; the definition of sexual harassment under state law, a description of sexual harassment, utilizing examples: the internal complaint process available to the employee; the legal recourse and complaint process available through the Maine Human Rights Commission; directions on how to contact the Maine Human Rights Commission and the protection against retaliation as provided pursuant to Title 5, MRSA, Section 4553, subsection 10, paragraph D. This notice shall be delivered in a manner to ensure notice to all employees without exception, such as including the notice with an employee's pay. Additionally, the Town shall conduct an education and training program for all new employees within one year of commencement of employment that includes at a minimum all of the above. Employers shall conduct additional training for managerial employees within one year of commencement of employment that includes at a minimum the specific responsibilities of managerial employees and methods that this employee shall take to ensure immediate and appropriate corrective action in addressing verbal and sexual harassment complaints.

WORK PERFORMANCE EVALUATION:

- A. The Town Manager, other supervisors, or the respective Board annually shall evaluate each full-time and each part-time employee to determine if the employee is performing his/her job satisfactorily. A copy of each evaluation shall be given to and reviewed with the employee after which a copy of the performance evaluation shall be placed in the employee's personnel file. It is the responsibility of the Town Manager to ensure that the annual evaluations of the employees are completed.
- B. The purpose of the Town's Work Performance Evaluation shall be the following:
 - 1.) To provide the Town Manager and the employee a formal means of defining jointly the assigned tasks for each employee.
 - 2.) To provide a regular and dependable means for bilateral discussions of job responsibilities and performance standards.
 - 3.) To provide employees regular feedback and coaching on performance.
 - 4.) To assess employee performance
 - 5.) To provide the Town Manager and other supervisors, if any, with a better understanding of employee needs.
 - 6.) To identify needs and strategies for employee's personal and professional growth.
 - 7.) To record, on a permanent and continuing basis, the employee's pattern of performance.
- C. Annually the Town Manager, in joint consultation with the employee, shall establish performance outcomes that are mutually agreed upon whenever possible and that are reasonable and attainable under normal working conditions.
- D. As part of each performance review, the Town Manager has an affirmative obligation to provide counseling which offers constructive means and positive direction for correcting deficiencies.
 - 1. The Town Manager, other supervisors or respective Boards shall assist the employee to understand the Town Manager's opinion of the employee's performance.
 - 2. The Town Manager, other supervisors or respective Boards shall assist the employee in defining performance objectives.
 - 3. The Town Manager, other supervisors or respective Boards shall suggest remedial actions for areas of deficient performance and identify organizational resources for the employee to assist in remediating deficiencies. By mutual consent between the employee and the Town Manager, any item contained in an employee's personnel file may be removed.
- E. The employee shall sign and date the evaluation form acknowledging only that the evaluation has taken place.

GRIEVANCES:

Should an employee feel aggrieved concerning the interpretation, meaning, or application by the Town of any provisions of this Personnel Policy or the terms of employment, or treatment by a fellow employee, the employee shall within ten (10) working days from the incident or knowledge of the incident, submit the details of such grievance in writing to the Town Manager.

Within ten (10) working days thereafter, the Town Manager and/or the Town_Manager's designee shall schedule and meet with the employee to investigate the merits of the grievance.

The Town Manager shall respond in writing within five (5) working days <u>thereafter</u> to the employee outlining the findings of fact and the Town Manager's disposition of the grievance. The decision of the Town Manager shall be final unless the grievant appeals the decision of the Town Manager to the Select Board.

If an employee is not satisfied with the Town Manager's disposition of the grievance, the employee may within five (5) working days after receipt of the Town Manager's decision, appeal the grievance to the Select Board. The Select Board shall schedule a meeting as soon as possible in executive session with the grievant and the Town Manager and any other interested party the Select Board deems appropriate, to review the grievance. The Select Board shall be bound by this Personnel Policy. After reviewing the merits of the grievance, the Select Board shall issue a written decision within ten (10) working days to the grievant and the Town Manager. The decision of the Select Board shall be final unless the grievant appeals the decision of the Select Board, in writing, within twenty (20) working days to arbitration. The process of arbitration shall be binding on the parties and shall be governed by the Uniform Arbitration Act, 14 MRSA, 5927 et seq., and the decision reached by the Arbitrator shall be binding on the parties.

Neither the Town Manager nor the Select Board nor any Town official or employee shall take any retaliatory action against any employee who has used or who is expected to use this grievance procedure.

DISCIPLINE:

The Town Manager shall be responsible for the administration of Town policy, the employment of employees, and the efficient, orderly and timely carrying out of the administration of the Town's business

Whenever, in the Town Manager's judgment, the performance or behavior of an employee, while on the job, is unsatisfactory, the Town Manager shall administer appropriate discipline to the employee.

The Town Manager will not discipline, discharge or suspend any non-probationary employee without just cause.

Progressive discipline may be applied as follows:

- 1. Verbal reprimand
- 2. Written reprimand
- 3. Suspension with pay
- 4. Suspension without pay
- 5. Dismissal

<u>Verbal Reprimand</u>-For most minor first-time occurrences of performance or behavioral problems, and for most minor performance or behavioral problems, the Town Manager shall discuss the matter with the employee, and orally inform the employee that the employee has received a verbal reprimand. There shall be a letter stating that a verbal reprimand has been issued placed within the employee's personnel file for a period of six months. Should there be no further disciplinary actions within the six months; the letter shall be removed from the personnel file.

<u>Written Reprimand-</u>The Town Manager shall discuss subsequent occurrences of performance or behavioral problems, and first-time more serious performance or behavioral problems with the employee, and shall thereafter, if warranted, issue a written reprimand to the employee a copy of which shall be placed in the employee's personnel file within thirty-six (36) hours.

<u>Suspension With or Without Pay-</u>When, after receiving either a verbal or written reprimand, an employee persists in unsatisfactory performance or behavior, or when serious misfeasance, malfeasance or nonfeasance has occurred, the Town Manager may suspend an employee with or without pay for not more than ten (10) consecutive working days for full-time employees, and not more than two (2) consecutive weeks for part-time employees. Vacation and sick leave accruals and health insurance coverage and Town payments shall not be affected by suspension with or without pay. The Town Manager shall provide the affected employee who is suspended with or without pay the reasons in writing for taking such action and a copy of the written reasons shall be timely placed in the employee's personnel file.

<u>Dismissal-</u>When previous disciplinary actions have been unsuccessful in changing the unsatisfactory performance or in instances of gross misconduct, the Town Manager may dismiss the employee. The Town Manager shall provide the reasons in writing for taking such action and a copy of the reasons shall be timely placed in the employee's personnel file and concomitantly mailed or given to the dismissed employee.

APPEALS:

A disciplined employee may appeal any disciplinary action in accordance with the grievance procedure.

SEVERABILITY:

If any provision of this Policy or any application of this Policy to any employee or any group of employees shall be found contrary to law, then such provision(s) or application shall not be deemed valid and subsisting except to the extent permitted by law, but all other provisions or applications shall continue in full force and effect.

WORKPLACE VIOLENCE:

It is the policy of the Town of Readfield to promote a safe environment for its employees. The Town of Readfield is committed to working with its employees to maintain a work environment free from violence, threats of violence, harassment, intimidation, and other disruptive behavior.

Violence, threats, harassment, intimidation, and other disruptive behavior in the workplace will not be tolerated; that is; all reports of incidents will be taken seriously and will be dealt with appropriately. Such behavior can include oral or written statements, gestures, or expressions that communicate a direct or indirect threat of physical harm. Individuals, including employees, visitors and others who commit such acts may be removed from the premises and may be subject to disciplinary action, criminal penalties, or both.

Employees must comply with the Town's Firearms Ordinance and State laws related to firearms.

The Town of Readfield needs the cooperation of all employees in order to implement this policy effectively and maintain a safe working environment. Please do not ignore violent, threatening, harassing, intimidating, or other disruptive behavior. If an employee observes or experiences such behavior by anyone on the Town of Readfield's premises, whether the person is an employee or not, report it immediately to the Town Manager.

(PLEASE NOTE: Threats or assaults that require immediate attention should be first reported immediately to police at 911.)

This Workplace Violence section of this policy requires a signature of acknowledgement by every employee that he or she has read this section and understands it.

COMPUTER USE AND E-MAIL/INTERNET ACCESS:

Objective

To provide guidance on appropriate use of electronic mail, Internet, or other means of access to or use of resources made available to Readfield employees to communicate with each other, other governmental entities, companies and individuals for the benefit of the Town of Readfield.

Policy

The Town of Readfield's computer network, Electronic Mail System (e-mail) and Internet connection is designed to facilitate Town business, and to provide for communications among employees and other business associates for messages or memoranda. Since no computer system is completely secure, the e-mail/Internet system is not intended to transmit sensitive materials, such as personnel decisions, and other similar information which may be more appropriately communicated by written memorandum or personal conversation.

This computer network, e-mail and Internet systems are the Town of Readfield's property and intended for Town business. Although some incidental use of the computer e-mail and Internet access for personal use is expected, it must be understood that such use is a privilege, which may be limited or removed if the privilege is abused or at any time, for any reason, at the discretion of the Town Manager. Except for incidental personal use, no part of the system is to be used for employee personal gain or to support or advocate for non-business related activities or purposes. All data and electronic messages within this system are the property of the Town of Readfield. As such, no computer files, or communications of any type through the Town's Electronic Mail System or Internet connection can be considered private. Electronic communications have been found to be public records and may be subject to the freedom of access laws, depending on their content. No use, or message, or communication within the system is private.

While you may have a confidential password, users should be aware that this does not mean that the system is for personal confidential communication, nor does it suggest that e-mail is

the property right of the employee.

In addition, consistent with any confidential relationships or obligations that may exist, the Town of Readfield reserves the right to authorize its Town Manager, to review the contents of the employee's computer files, or e-mail/Internet communications whenever it may deem necessary for performance purposes. Employees may not intentionally intercept, eavesdrop, record, read, alter, or receive other person's e-mail messages or computer files, without proper authorization. Passwords should be periodically changed to ensure security of the system.

Users should not share their passwords with anyone else, except as the Town Manager may require.

Employees may not provide or use alternative software to access the systems.

Employees may be held responsible for any damages caused by unauthorized software, spy ware or viruses they introduce into the system. Please keep note that messages are also subject to network security procedures and spam filter, which may inadvertently isolate or delete valid e-mails since this functions are not foolproof.

The Internet provides the Town of Readfield with significant access and dissemination of information to individuals outside of the municipality. The use of the Internet for access and dissemination is intended to serve Town business. Like all e-mail messages, Internet messages are capable of being forwarded without the express permission of the original author. Messages are also routinely passed through routers before they reach their final destination. A message is "touched" many times before it gets to its recipient, and the message author should be aware of this. Therefore, users must use caution in the transmission and dissemination of messages outside of the Town, and must comply with all State and Federal laws.

General Prohibitions:

The Town of Readfield's email and Internet systems may be used only for lawful purposes. The transmission, distribution, or storage of any information, data, or material in violation of any applicable law or regulation or this policy is prohibited. Without limitation of the foregoing, it is prohibited to create, transmit, distribute or store any information, data, or material which:

- Is libelous, defamatory, hateful, or constitutes an illegal threat or abuse, or contains ethnic slurs, racial epithets, or anything that may be construed as harassment or disparagement of others based on race, national origin, sex, sexual orientation, age, disability, or religious beliefs.
- Is obscene or constitutes child pornography, contains sexually explicit images or messages, or may be construed as offensive, abusive, or threatening.
- Infringes any copyright, trademark, trade secret, or other intellectual property right.
- Is solicitation for commercial ventures, religious or political causes, outside organization or other non-job-related solicitations except for incidental personal use.
- Is or encourages conduct that would constitute a criminal offense or give rise to civil liability.

Guidelines:

Employees are expected to abide by the generally accepted rules of computing and network etiquette. This includes (but is not limited to) the following:

A. General Guidelines:

- Be polite.
- Use appropriate language. Do not swear, use vulgarities or any other inappropriate language.
- Do not reveal address or phone numbers of others. Providing both internal and your own personal address or phone number is personal choice but be aware that Internet transmissions can be monitored by others.
- Note that electronic mail (e-mail) is <u>not</u> private. Both internal and Internet transmissions can be easily intercepted by others and can be altered en route.
- Do not use computers or networks in such a way that you would disrupt their use by others. This includes being aware that you can create significant network traffic and consume scarce computing resources by your use of the Internet. Do not send large files needlessly.
- Use only services you have authorization to access.
- Always represent yourself as yourself never someone else.
- Do not send un-encrypted Readfield confidential or proprietary information over the Internet. If you are uncertain whether material is confidential or proprietary, consult your supervisor. If you need to utilize encryption, please contact the Town Manager for directions.
- Material that would be considered inappropriate, offensive or disrespectful to others should not be accessed or stored.
- Respect copyrights and licenses.

B. Security Responsibilities:

- If you identify a security problem, notify the Town Manager immediately.
- Do not show or identify a security problem to others.
- Do not reveal your account password or allow another person to use your account.
- Do not use another individual's account.
- Any user identified as a security risk or having a history of problems with other computer systems may be denied access.

C. Vandalism/Harassment:

- Vandalism is defined as any malicious attempt to harm or destroy data of another user, the internet or other networks. This includes, but is not limited to, creating and/or knowingly unloading computer viruses.
- Vandalism and/or harassment will result in the cancellation of the offending user's account and/or further disciplinary action.
- Harassment is defined as the persistent annoyance of another user or the interference in another user's work. This includes, but is not limited to,

the sending of unwanted e-mail.

D. Electronic Documents:

"Electronic Documents" includes word processing documents, digital photos, spreadsheets, scanned images or any other data stored in a digital or electronic format. "Electronic Documents" include electronic data stored on servers, hard drives or PCs at work and/or at home, compact disc, diskettes, flash memory chips or cards, digital cameras, or any other storage media capable of storing Electronic Documents.

E. Electronic Document Retention:

Employees are expected to read and comply with the Town of Readfield's Document Retention Policy.

F. Litigation Hold Letters:

An Electronic Document retention policy may be suspended if the Town of Readfield is served a "litigation hold letter" by a court. In the event, management will advise the retention protocol to be followed.

Employees whose position at the Town of Readfield exposes them to HIPAA protected information should comply with this policy and the HIPAA Acceptable use Agreement.

Generally, messages are intended to be temporary communications that are non-vital and may be discarded routinely. However, depending on the content of the message, it may be considered a more formal record and should be retained pursuant to a department's record retention schedule. As such, these messages are similar to printed communication and should be written with the same care. Each department's retention schedule for other forms of communication should apply to electronic communications as well.

Employees should be aware that when they have deleted a message from their workstation mailbox, it might not have been deleted from the centralized system. The message may be residing in the recipient's mailbox or be forwarded to other recipients. Furthermore, the message may be stored on the system's backups for an indefinite period. Employees should delete personal messages as soon as possible after reading. An accumulation of files will degrade system performance and response times. This policy applies to all employees, contractors, part-time employees, volunteers and other individuals who are provided access to the Town's system. Third parties should only be provided access to the system as necessary for their business purpose with the Town and only if they abide by all applicable rules.

Employees who leave employment with the Town of Readfield have no right to the contents of their network drivers or e-mail messages and are not allowed access to the e-mail system. The Town Manager or his/her designee may access an employee's e-mail if employees are on leave of absence, vacation, or are transferred from one position to another position and it is necessary for the Town's purposes.

The misuse of the Internet or e-mail privileges may be considered sufficient cause for discipline in accordance with the Personnel Policy and Procedures, and/or other applicable

rules or laws. In addition, in the event of suspected, alleged or actual illegal activity, the Town of Readfield may notify or cooperate with applicable law enforcement authorities for potential civil or criminal investigation or prosecution.

This Computer Use and E-Mail/Internet Access section of this requires a signature of acknowledgement by every employee that he or she has read this section of the policy and understands it.

Personnel Policy Adopted June 22, 2009, Adopted and Amended 06/17/2013, Adopted and amended 02/08/2016

Expense Reimbursement Voucher

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Please list each item separately. Payments for Reimbursements will not be made without receipts, please attach all receipts

Acknowledgement Form (Sign and return to the Town Manager)

Personnel Policy R	eceived by:	
Employee's Name	Date	
Work Place Violence	that I have read and und ce section of this policy p el Policy dated February	printed
Employee's Name	Date	
Computer use and	that I have read and und E-Mail/Internet Access within the Personnel Pol	section of
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