

TOWN OF WELD

# PERSONNEL POLICY

ADOPTED June 17, 2025

Town of Weld  
Personnel Policy

1. PURPOSE

The following guidelines have been established by the Board of Selectmen (“Select Board”) of the Town of Weld (“Town”) to ensure the orderly, uniform and fair system of personnel administration (“Personnel Policy”). This Personnel Policy and any following modifications shall replace all previous policies. The Select Board may adopt guidelines specific to certain positions when necessary to provide for the overall needs of the Town and/or Town department.

2. EQUAL EMPLOYMENT OPPORTUNITY

The Town is committed to providing equal employment opportunities for all persons making application for employment to the Town and for equal treatment and advancement opportunities for its employees. The Town, therefore, sets forth a policy of nondiscrimination in hiring, employment, and personnel actions based upon religion, age, sex, sexual orientation, gender identity, gender expression, pregnancy, veteran status, marital status, race, color, ancestry, national origin, physical or mental disability, or any other class protected by state or federal law.

3. HARASSMENT AND UNLAWFUL DISCRIMINATION

**NO HARASSMENT OR RETALIATION TOLERATED.** The Town will not tolerate harassment, bullying, or workplace violence based on sex (with or without sexual conduct), sexual orientation, race, color, religion, national origin, age, disability, or any other class protected by state or federal law, for speaking out against discrimination, or for participating in the complaint investigation process. The Town also will not tolerate retaliation against employees or other public officials for speaking out against discrimination, participating in the complaint investigation process, or for good faith reporting to the Town of a public body a violation of law, rule, condition, or practice that would risk the health or safety of any employees or other individual. This Policy applies to supervisors, co-workers, vendors, appointed officials, elected officials, and other non-employees. The Town fully supports this Policy, and is committed to the prevention of any form of harassment or retaliation.

Harassment-related problems can often be resolved through open and honest discussion between the individuals involved in the situation. In many cases, individuals perceived as behaving in a harassing manner will stop that behavior when confronted. However, such direct treatment of harassment is not always possible or practical. Anyone who feels harassed by another employee or non-employee in connection with their work and who feels that direct confrontation is not possible or not effective must report an incident of sexual or other unlawful harassment to their immediate supervisor or the Town Manager. Any employee who becomes aware of a possible sexual or other unlawful harassment situation must also advise their immediate Supervisor. In the

event that the circumstances of an allegation are such that immediate would appear to have a direct conflict of interest, the employee is advised to contact the Select Board Chair.

### **Prompt Reporting is preferred**

All employees should endeavor to report any harassing behavior or retaliation before it becomes severe or interferes with their work. The Town will make every effort to prevent any harassment or retaliation.

### **No Punishment for Reporting**

The Town will not tolerate adverse treatment of an employee because they reported harassment or provided information relating to such a complaint or in good faith reported to the Town or a public body a violation of a law, rule, condition, or practice that would put at risk the health or safety of any employee or other individual.

### **Definition of Harassment/Retaliation**

Unwelcome comments, jokes, acts, social media postings (including maliciously false statements) and other verbal or physical conduct related to sex, sexual orientation, race, color, religion, national origin, age, disability, or protected activity (speaking out against discrimination, participating in the complaint investigation process, or good faith reporting to the Town or a public body a violation of law, rule, condition, or practice that would put at risk the health or safety of any employee or other individual) is harassment or retaliation when:

- a) Submission to such conduct is made, either explicitly or implicitly, a term or condition of an individual's employment;
- b) Submission to or rejection of such conduct by an individual is used as the basis for employment decision affecting such individual;
- c) Such conduct has the purpose or effect of substantially interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment; or
- d) The challenged action would discourage a reasonable employee from making or supporting a charge of discrimination or engaging in protected activity.

Employment decision (tangible employment action) linked with harassment or retaliation could include:

- Hiring and firing;
- Promotion and failure to promote;
- Demotion;
- Reassignment;
- A decision causing a significant change in benefits;
- Compensation decisions; and
- An unappealing work assignment.

### **Complaint Process**

Any individuals who believe he or she has been the subject of any form of harassment should **immediately** report the incident or act to one or more of the following officials:

- Immediate Department Head
- Any other Department Head
- Chair of the Select Board

Reports can be verbal or written. The Town will promptly investigate any and all complaints. All Department Heads have been trained and are required to immediately report complaints of harassment to one of the individuals listed above.

### **Confidentiality**

The Town will protect the confidentiality of harassment and retaliation allegation as much as possible. It will be discussed only with those who have a need to know to investigate or resolve the complaint.

### **Investigation Process – Corrective Action**

The Town will promptly conduct a thorough and impartial investigation into any alleged harassment or retaliation. Steps which the Town may take will be designed to stop the harassment or retaliation, correct its effects, and ensure that it does not happen again. Any remedial measures will not punish anyone who has come forward in good faith with a complaint of harassment or retaliation. Corrective action may include warning, training and monitoring of harasser, transfer or reassignment, suspension, or discharge of involved coworkers. The focus is upon prevention, not punishment.

### **Prohibition of Sexual Harassment**

It is the policy of the Town of to provide a work environment that is free from any and all forms of sexual harassment. Unwelcome sexual harassment is a form of sex discrimination that violates the Maine Human Rights Act. Unwanted sexual advances, requests for sexual favors, or other verbal or physical conduct of a sexual nature which threatens job security, working conditions, or advancement opportunities is considered sexual harassment when:

1. Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment;
2. Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual; or
3. Such conduct has the purpose or effect of substantially interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment.

Sexual harassment can affect and occur by and between members of any gender or the same gender and may occur between co-workers; supervisor and employee; Department Head and employee; manager and Department Head and/or employee; and select board member and/or manager, Department Head, employee. Sexual harassment may also occur by and between employees and members of the public, vendors, and citizens when the conduct occurs during the course and scope of employment.

The following types of behavior are prohibited:

1. Abusing the dignity of an employee through insulting or degrading sexual remarks or conduct;
2. Threats, demands, or suggestions that an employee's work status is contingent upon the employee's toleration of or acquiescence to sexual advances;
3. Other sexually harassing conduct in the workplace whether committed by supervisors or non-supervisory personnel. This may include, but is not limited to:
  - offensive sexual flirtations, advances, or propositions;
  - verbal abuse of a sexual nature;
  - graphic, verbal comments about an individual's body;
  - sexually degrading words used to describe an individual;
  - the display of sexually suggestive objects or pictures;
  - unwanted hugs, touches, or kisses;
  - sexually suggestive or sexually graphic emails, texts, tweets or postings on social media sites either to a fellow employee or about a fellow employee.

Under the law, you may not be punished or penalized in any way for reporting, complaining about, or filing a claim concerning unlawful sexual harassment, regardless of the nature or category, or for cooperating with or testifying in any proceeding related to allegations of sexual harassment in the workplace. If you feel that you have been retaliated against for opposing or reporting what you reasonably believe to be sexual harassment, or for cooperating in the investigation of the same, please follow the Internal Complaint Procedure set forth above. The Town will not tolerate any act of unlawful retaliation against employees who have reported, complained about, or filed a complaint of unlawful harassment.

The violation of this policy may result in disciplinary action up to and including dismissal.

Employees may also file a complaint with the Maine Human Rights Commission within 300 days of the alleged harassment or discrimination as follows:

1. By letter addressed to:  
Executive Director  
Maine Human Rights Commission

51 State House Station  
Augusta, ME 04333-0051

2. By phone: (207) 624-6290
3. FAX: (207) 624-8729
4. TTY: 1-888-577-6690
5. By e-mail: [www.maine.gov](http://www.maine.gov)
6. In person at the Commission's Office, 19 Union Street, Augusta.

The Town of Weld is committed to promptly investigating each complaint and determining its merits and the appropriate action to be taken. In the course of investigation, every effort will be made to protect the privacy of those involved.

#### 4. WHISTLEBLOWER PROTECTION

The Town strives to conduct its business with integrity and in strict compliance with all applicable federal, state and local laws and regulations. Accordingly, any employee is encouraged to bring to the attention of the employee's supervisor or to the Select Board any actions of town officials or employees that the employee believes may be improper, unethical, or a violation of a Town policy or the law. The Town will not retaliate against any employee who makes a report in good faith the employee's supervisor, the Select Board or a regulatory body.

#### 5. EMPLOYMENT APPLICATION

Applications for employment must be submitted on forms prescribed by the Town, when requested. Such forms may require whatever information is deemed necessary and all applications must be signed by the applicant. Applications and resumes shall only be accepted during the time set forth in the announcement of the vacancy.

#### 6. PHYSICAL EXAMINATIONS

Pre-employment physical examinations may be required for those employees whose positions require them to perform physical labor. The Town will be responsible for the costs of the required physical exams if performed by a physician designated by the Town. Employees who have had a physical exam within the past year may be exempted from this policy, providing that they furnish a copy of the doctor's report.

#### 7. PROBATION

All new employees will serve a six-month probationary period. All full-time employees will be allowed all Town benefits while serving their probationary period. At any time during the probationary period the Town may terminate employment on a "no-fault basis" which will require neither a hearing nor a determination of cause. On a rare occasion, the Town may deem it necessary to extend the probationary period for an additional three months, however, both parties must agree to the extension in writing. Employees who are promoted or move into another

position for the Town will be considered a new employee in that position and will serve a six-month probationary period in that position. Upon successful completion of the probationary period, all employees will be assigned to one of the following classifications.

## 8. TYPES OF APPOINTMENTS

### A. FULL-TIME EMPLOYEES

Full-Time Employee means an employee budgeted for thirty (30) hours or more on a continuing and indefinite basis. This employee is subject to all personnel policies and receives all benefits and rights as provided by these policies.

### B. PART-TIME EMPLOYEES

Part-Time Employee means an employee who is budgeted to work less than thirty (30) hours per week on a continuing and indefinite basis. This employee is not eligible for any employment benefits such as retirement, health insurance, or seniority. This employee is subject to all personnel policies, and rules and regulations.

### C. SEASONAL OR TEMPORARY EMPLOYEES

Seasonal or Temporary Employee means an employee who is budgeted to work the normal work week or less, but for a limited period of time, typically less than four (4) months. This employee is not eligible for any employment benefits such as retirement, health insurance, accrual of sick leave and vacation time, or seniority. This employee is subject to all personnel policies, rules and regulations.

### D. VOLUNTEER EMPLOYEES

Volunteer Employee means an employee who is not budgeted to work any specified period of time. This employee does not receive any compensation other than an annual stipend and reimbursement for out-of-pocket expenses. This employee may be eligible for employment benefits such as health insurance. is subject to all personnel policies, rules and regulations.

### E. ON-CALL EMPLOYEES

On-Call Employee means an employee, who the Town may, from time to time, call in to work during or outside normal Town office hours (a "Call-In"). This employee is generally scheduled to be on standby for a Call-In (e.g., firefighters, emergency snow-plower). When such employee responds to a Call-In, the employee shall be compensated for the actual hours worked after receiving the call at a rate set by the Select Board. This employee will be compensated at the same hourly rate for any training, and practice sessions attended. This employee is not entitled to benefits as outlined in this policy. They are, however, subject to all personnel policies, rules and regulations.

## 9. PROMOTION

Present employees shall be given consideration in filling a vacancy, but it is recognized, from time to time, the good of the service will require that a vacancy be filled from outside the service.

#### 10. COMPENSATION

All employees of the Town shall be compensated based upon their range of duties, responsibilities, and level of work performed, as established by the Select Board.

An annual cost of living adjustment may be given to employees at the Select Board's discretion. The Select Board will make a decision annually on the cost of living increases based on the Town's budget, the CPI-Northeast Region, and other relevant considerations. The cost of living adjustment will take effect annually for all hourly employees on April 1.

#### 11. TRAINING

The Town will attempt to make opportunities available for all employees within the constraints of the Town budget for further development of specific skills and expertise deemed of mutual benefit to employee and the Town. Approval of staff development and training opportunities must be obtained from the head of the relevant department, if applicable, and the Select Board, in advance of the opportunity. Where the training is required as part of the employees job or required by the employee's supervisor or Select Board, the Town will pay for the training and also may pay the employee their regular rate of pay to attend the training, consistent with the travel time policy below (section 11A).

##### 11(A) TRAVEL TIME POLICY

Some non-exempt positions require travel outside of their normal workday and/or outside of their normal work assignments, to attend a training. The purpose of this policy is to state the pay rules that apply to non-exempt employees when traveling on Town business. Employees in positions classified as non-exempt under the Fair Labor Standards Act are eligible for compensation for the time they spend traveling. The compensation an employee receives depends on the kind of travel and whether the travel time takes place within normal work hours.

##### **Travel Time from Home to Work (Portal to Portal)**

Normal travel from home to work and travel from work to home at the end of the workday is not considered hours worked.

##### **Single-Day Travel**

Time spent by the employee in travel as part of his or her normal work activities – such as travel from the job site to a seminar during regular working hours is considered hours worked. If the employee is required to travel to another town or city and return home on the same day, the travel time to and from the other town or city is considered hours worked. If the employee uses public transportation, the travel time between the employee's home and



the point where he or she obtains this transportation (i.e. bus station, airport, etc.) is not considered hours worked. If the employee takes a half-hour lunch break, it is considered hours worked. The following chart is an example:

Regular Work Hours	Single Travel Day	Travel Time	Travel Time Paid
9 a.m. to 5 p.m., Monday - Friday	Friday	Leave at 6:30 a.m. - arrive at 8:30 a.m. Attend seminar. Take a half-hour lunch. Leave at 4:30 p.m. - arrive back at 6:30 p.m.	The employee is paid for 12 hours.
	Sunday	Leave at 2:00 p.m. – arrive at 6 p.m.	The employee is paid for 4 hours.

#### **Travel Away from Home Overnight on a Work Day**

Travel time involving a required overnight stay is considered hours worked only when it is during the employee's regular workday. The employee is simply substituting travel for their regular work hours. Travel time that is outside of normal work hours is not considered hours worked. For example:

Regular Work Hours	Overnight Travel	Travel Time	Travel Time Paid
9 a.m. to 5 p.m., Monday - Friday	Friday	Leave at 7 a.m. – arrive at 1:00 p.m.  Took a half-hour lunch.	The employee is paid for 4 hours – not paid for time outside regular hours (9am-1pm)
	Sunday	Leave at 2:00 p.m. – arrive at 6 p.m.	The employee is paid for 3 hours – not paid for time outside of regular hours (2pm-5pm)

#### **Travel on a Non-Work Day**

If the employee regularly works from 9 a.m. to 5 p.m., Monday through Friday, traveling during the same hours on Saturday and/or Sunday is considered hours worked (see above

example). The usual lunch break is considered hours worked. Time spent in travel away from home outside of regular work hours is not considered hours worked.

Any work that the employee performs while traveling is considered hours worked even if these hours are outside their normal work schedule.

## 12. TIMESHEETS

A weekly time sheet shall be completed by every employee and submitted to the employee's supervisor for approval. Every employee shall keep accurate record of their time, to include vacation, sick and compensatory time used.

Intentional falsification of any payroll records or timesheets may be just cause for disciplinary action, up to and including dismissal.

Employees shall be at their respective places of work at the appointed starting time. All departments shall keep daily attendance records and furnish records to the Select Board, or its designee, upon request. In the event of a necessary absence, it is the responsibility of the employee to inform their department head of the reason for the absence within a reasonable amount of time or before the employee is expected to report to work. If a department head is to be absent from work, he/she is expected to inform the Select Board, or its designee, prior to the start of the workday.

## 13. OVERTIME AND COMPENSATORY TIME

Unless stated otherwise in a relevant department policy, overtime work by hourly employees in excess of forty (40) hours worked per week shall be compensated at the rate of 1.5 times the regular hourly rate or, upon mutual agreement in writing, by compensatory time off ("CTO") at the rate of 1.5 hours of CTO for each hour of overtime worked. Compensatory time may not accumulate beyond forty (40) hours. Once the maximum amount of accrued compensatory time has been reached, the employee will be paid overtime as stated above or be scheduled to use the accumulated compensatory time. Employees are entitled to be paid for all unused, accrued compensatory time upon separation from employment.

Hourly employees may request, in writing, use of accrued compensatory time at least forty-eight (48) hours in advance of the relevant department head, the Select Board, or the Select Board designee (See Form 1 Attached). Approval of such request shall be dependent on staffing and shall not unduly disrupt normal operations of the employee's department.

## 14. CALL-IN PAY FOR PUBLIC WORKS EMPLOYEES

If a Public Works employee has left work after a regular workday and answers a Call-In prior to the next regular workday, the employee shall be paid two hours at the regular rate of pay as compensation for travel time to the work-site in response to the Call-In. Once the employee arrives at the work-site, the employee shall be paid for the actual hours worked in response to the Call-In.

## 15. HOLIDAYS

- A. The following holidays shall be paid holidays for all employees working thirty (30) hours or more ("Full-Time Employees"):
- New Year's Day
  - Martin Luther King's Day
  - President's Day
  - Patriot's Day
  - Memorial Day
  - Juneteenth
  - Independence Day
  - Labor Day
  - Indigenous People's Day/ Columbus Day
  - Veteran's Day
  - Thanksgiving Day
  - Day Following Thanksgiving Day
  - Christmas Day
- B. Generally, the above holidays shall be observed on the legal day of observance by the State of Maine. If any of the above-listed holidays fall on a Saturday or Sunday, the Town shall observe the holiday according to the observation days of the State.
- C. However, if a holiday period includes only a single business day and the Full-Time Employee is already not obligated to work, the employee may observe the holiday on the preceding business day that employee is obligated to work.
- D. A Full-Time Employee shall receive holiday pay for the holiday based on an eight (8) hour work day unless otherwise agreed to by the Town and the employee.

## 16. DISCIPLINARY ACTION

The Town has a policy of progressive discipline for employees, which means that repeated instances of poor job performance or misconduct will generally be subject to progressively more severe sanctions, which may include oral warnings, written reprimands, suspension with or without pay, demotion or dismissal. Progressive discipline does not mean that the initial disciplinary response will always be at the lowest possible level. Serious job performance problems or misconduct such as, but not limited to, dishonesty, violence or theft, may result in more severe disciplinary sanctions, up to and including dismissal, even on the first occurrence.

The designated supervisor of the employee ("Designee") or the Select Board shall have the authority to take necessary disciplinary action which may include such remedies as oral warnings, written reprimands, and suspension with or without pay, demotion or dismissal.

Before making a final decision to suspend without pay for more than two (2) days, demote or dismiss an employee, the Designee shall hold a pre-disciplinary meeting with the employee. The

employee shall be given written notice of the proposed disciplinary action and the reasons therefore in advance of the hearing. The employee shall have the opportunity at the informal hearing to respond to the reasons and to present reasons why the employee believes the discipline or discharge is not justified. A prior informal hearing shall not be required when, in the judgment of the Designee, the employee's conduct or job performance creates an immediate threat of injury to the employee, any other Town employee, or members of the public, or is otherwise detrimental to the Town, provided that the employee shall be suspended with pay until such time as an opportunity for an informal hearing is offered.

Should an employee be dissatisfied with the Designee's decision with respect to suspension without pay for more than two (2) days, demotion or dismissal, the employee may file an appeal of the decision to the Select Board. The appeal shall be in writing and shall be filed with the Designee within seven (7) days of the decision. The appeal shall set forth the relief sought. The Select Board shall conduct a hearing on the matter within fourteen (14) days of receipt of the appeal. The Select Board shall render a written recommendation based on its findings within seven (7) days from the conclusion of the hearing.

#### 17. JOB PERFORMANCE EVALUATION

Employee performance evaluations attached shall be in writing utilizing a standard form (see Exhibit A) and shall be made part of the employee's personnel file. In all cases, the evaluations will be discussed with the employee by the employee's supervisor and signed by both parties. A copy of the evaluation shall be kept in the personnel file of the employee.

- A. Probationary employees shall be evaluated prior to the conclusion of their probationary period. The supervisor of the employee shall recommend to the Select Board whether the employee should be retained by the Town.
- B. Commencing with the employee's anniversary date, performance evaluations shall be conducted annually.

#### 18. PERSONNEL RECORDS

Personnel files, as defined by Maine law, will be maintained for each employee of the Town. Any employee may review his/her records, between the normal working hours of the Town Office.

#### 19. POLITICAL ACTIVITY

Due to the nature of the employees as the servants of local government, it is expected that employees would act with discretion in regard to their activities in politics at any governmental level. Employees are prohibited from campaigning, fundraising, petitioning or any other political activity while they are on the clock for the Town. Political activities including running for office, working on campaigns, circulating petitions, etc., should be discussed with the employee's supervisor. This rule is not to be construed to prevent the Town employees from becoming, or

continuing to be, members of any political organization, from attending political organization meetings, from expressing their views on political matters, or from voting with complete freedom in any election.

## 20. LAY-OFFS

An employee may be laid off for lack of work, lack of funds, reductions in staff, or other legitimate business reasons. All employees shall be furnished with written statement setting forth the reasons for the lay-off.

Full-time employees shall be given one (1) week notice before the effective date of the lay-off. Employees who are not full-time and full-time employees who have not completed the probationary period may be laid off at any time without recourse to the grievance procedures set forth in this Personnel Policy.

## 21. RESIGNATION

An employee may resign by submitting in writing a notice of intent. The Town requests two (2) weeks' notice in advance of termination. Failure to submit a two (2) week-notice in writing may be cause for denying future employment with the Town.

## 22. GRIEVANCE PROCEDURE

The grievance procedures below are intended to provide full opportunity for employees to bring to the attention of management; complaints, grievances, or situations that the employee feels need either adjustment or information. It is the intent and desire of the Town to adjust complaints or grievances informally as problems arise. However, it is recognized that there will be matters which can only be resolved by a formal grievance. A grievance by an employee shall in no way affect the employee or his/her future employment with the Town. In order to insure the employee of a method in which he/she may obtain review of his/her particular grievance rapidly, fairly and without reprisal, the following steps are provided:

**Step 1:** The aggrieved employee shall, within ten (10) working days of the incident discuss and explain any problem he/she may have orally with his/her department head. If necessary, his/her immediate department head may consult with others in an effort to achieve a prompt satisfactory adjustment of the matter. The department head will make a decision and notify the employee of the decision within ten (10) days after discussion.

**Step 2:** If the aggrieved employee feels that the matter has not been settled to his/her satisfaction by his/her department head, he/she then may submit the matter in writing to the Select Board within ten (10) days from receipt of the decision of his/her department head. The Select Board shall call and conduct a hearing of all parties involved within thirty (30) days after submission of a grievance to it. The Select Board shall provide the employee with a written decision within fourteen (14) days of the hearing.

## 23. LEAVE FOR FULL-TIME EMPLOYEES

### A. PERSONAL TIME

1. Each Full-Time Employee is credited with five (5) days of personal time for the year of employment with the Town. Only 8 hours of unused personal time may rollover to the next year. This is time that must be used for sickness or as personal time off. No one will be paid for unused personal time at the time of their departure from the Town.
2. Any employee who needs to use sick/personal leave must notify his/her department head of their illness/personal time use prior to or at the normal day's starting time. Failure to notify will result in loss of that day's sick/personal time pay.

### B. SICK LEAVE

1. Sick leave in excess of five (5) consecutive working days must be substantiated by a doctor's certificate.
2. The employee must apply for all insurance benefits available.
3. If the employee does not receive income protection benefits under a Town-provided insurance policy during sick leave or if the benefits received under such a policy are less than the employee's regular wages, the employee will be paid from the employee's Personal time account the difference between the insurance benefits and the employee's regular wages.
4. No salaried exempt employee shall receive any payment in lieu of any unused personal time benefits.
5. An extension of the sick leave entitlement may only be granted by a majority vote of the Select Board.

## 24. VACATION

The Town offers paid vacations for Full-Time Employees in accordance with the formula below:

One Year	5 working days
After Three Years	10 working days
After Nine Years	15 working days

Yearly intervals are calculated based on date of hire rather than calendar year.

Employees who do not take their vacation time will forfeit it if it is not taken within twelve (12) months of being earned. No one will receive pay in lieu of vacation time.

In the event of separation from employment, employees may be paid for accrued unused vacation time not to exceed Five (5) weeks.

## 25. EARNED PAID LEAVE FOR PART-TIME EMPLOYEES

Part-Time Employees may earn, annually, one hour of paid leave for every forty (40) hours worked, to be used for any reason ("Earned Paid Leave"). Accrual of Earned Paid Leave begins at the start of employee's employment with the Town; but may only be used after one hundred twenty (120) days of employment.

A Part-Time Employee may carry over unused Earned Paid Leave from year to year. However, the employee may not have Earned Paid Leave in excess of forty (40) hours at any time. Any unused Earned Paid Leave will be paid to the employee at the time of separation.

## 26. FAMILY MEDICAL LEAVE

### Family & Medical Leave Act

The Family & Medical Leave Act (29 U.S.C. §2601 et seq.) is a federal law that requires unpaid leave for employees who work for an employer with fifty (50) or more employees, and has worked for the Town for at least twelve (12) months and at least 1,250 hours during the prior twelve (12) months to deal with family and personal matters. Eligible employees may take up to twelve (12) weeks of job protected unpaid leave in a twelve (12) month period for the following reasons:

1. Birth and/or care of a child of the employee;
2. Placement of a child into the employee's family by an adoption or by a foster care arrangement;
3. Care of the employee's spouse, child or parent who has a serious health condition;
4. Inability of the employee to perform the functions of the employee's position due to a serious health condition;
5. To address a qualifying exigency arising out of the fact that the employee's spouse, child or parent is on covered active duty (or has been notified of an impending call to order to covered active duty) in the Armed forces;
6. To care for a covered service member who is the spouse, child, parent or next of kin of the employee (for up to 26 work weeks in a 12 month period).

This law guarantees certain rights to eligible workers:

- a) Restoration to the same position upon return to work, or one that is equal in pay, benefits and responsibility.
- b) Protection of employee benefits while on leave.
- c) Protection from retaliation from an employer by exercising this right.

### Maine Paid Family Medical Leave Law

Currently, the Maine Family Medical Leave Act (Maine FMLA 16 M.R.S.A. §843 et seq.) applies to public sector employers with 25 or more employees. Eligible employees must have worked for the Town for twelve (12) consecutive months, may be eligible for up to ten (10) work weeks of unpaid leave in any two (2) years for the following reasons:

1. Serious health condition of the employee;
2. Birth of the employee's child or the employee's domestic partner's child;

3. Placement of a child 16 years of age or less with the employee or with the employee's domestic partner in connection with the adoption of the child by the employee or the employee's domestic partner;
4. A child, domestic partner's child, parent, domestic partner, sibling or spouse with a serious health condition;
5. Donation of an organ of the employee for a human transplant; or
6. Death or serious health condition of the employee's spouse, domestic partner, parent, sibling or child if the spouse, domestic partner, parent, sibling or child, as a member of the state military forces (as defined in 37 M.R.S. §102) or of the United States Armed Forces, including the National Guard and Reserve, dies or incurs a serious health condition while on active duty.

Starting May 2026, the Maine FMLA will be replaced with the Maine Paid Family and Medical Leave Program (Maine PFML) and it will provide employees with up to 12 weeks of paid leave for family, military, medical, or safe leave.

### Eligibility

All employees who have earned at least six times the state average weekly wage— regardless of whether a portion of their wages were earned through another employer – are eligible for benefits. Starting in May 2026, the employee can file an application for benefits. More information will be available to employees regarding the benefit application process prior to May 2026.

### Payroll Withholdings

Employee and employer contributions, made through payroll withholdings, will fund the program. Although benefits will not be available until May 1, 2026, contributions will begin on January 1, 2025, to allow time for the program to accumulate sufficient funds prior to benefits becoming available in May 2026. For the years 2025-2027, the employee payroll withholding is set at 0.5% of total wages. The Town will contribute an equivalent amount. After 2027, the contribution rate of employees and employers may change depending on the funding needs of the program.

### Reasons for Leave

Leave under the program can be taken for the following reasons:

- To bond with the covered individual's child during the first 12 months after the child's birth or the first 12 months after the placement of the child for adoption or foster care with the covered individual;
- To care for a family member (which includes individuals with significant personal bonds like a family relationship regardless of biological or legal relationship) with a serious health condition (defined as an illness, injury, impairment, pregnancy, recovery from childbirth or physical, mental, or psychological condition that involves inpatient care in a hospital, hospice, or residential medical care center or continuing treatment by a healthcare provider);
- To attend to a qualifying exigency;
- To care for a family member of the covered individual who is a covered service member;



- To take safe leave;
- A serious health condition of the employee;
- The birth of the employee's child or the employee's domestic partner's child;
- The placement of a child 16 years of age or younger with the employee or with the employee's domestic partner in connection with the adoption of the child by the employee or the employee's domestic partner;
- A child, domestic partner's child, grandchild, domestic partner's grandchild, parent, domestic partner, sibling, or spouse with a serious health condition;
- The donation of an organ of that employee for a human organ transplant; or
- The death or serious health condition of the employee's spouse, domestic partner, parent, sibling, or child in the event that they are seriously injured or die during active duty

#### Concurrence with Other Leave Laws

Where applicable, any leave time for which an Employee may be eligible under Maine PFML will run concurrently with FMLA Leave and any similar leave mandated by applicable law or provided by the Town.

## 27. OTHER LEAVES

- A. JURY DUTY – if an employee is called to jury duty, the employee will be paid the difference between the employee's jury pay and regular pay so that the employee will not suffer the loss of gross income. Employee may retain jury pay in an amount necessary to cover mileage and meal expenses and still receive regular pay.
- B. BEREAVEMENT – Up to three (3) working days at any one time in the event of death in an employee's immediate family. Immediate family is to include parents, grandparents, grandchildren, parent-in-law, brother, sister, children, spouse, and step-parents. If the death or funeral falls on a regular day off, an employee may not take additional working days off to reach the three (3) day maximum. Special consideration may be made by the Select Board when exceptional or unusual circumstances are a factor. Additional leave may be granted by the Select Board when deemed necessary.
- C. RESERVE SERVICE LEAVE – Full-time employees who are members of the organized military reserves, and who are required to perform field duty, will be granted reserve service leave in addition to vacation time, but not to exceed seventeen (17) days in any calendar year. For any such period of reserve leave, the Town will pay employee the difference between his/her service pay and regular salary or forty (40) hours per week at his regular hourly rate of pay. Other military leave is granted in compliance with federal and state laws.

D. ADDITIONAL LEAVES – Leaves of absence with or without pay may be granted at the discretion of the Select Board. All leave requests and grants shall be in writing.

## 28. TRAVEL EXPENSES

Per diem at the maximum rate of \$50.00 per day, individual room at the Holiday Inn or its equivalent, actual mileage at a rate to match and not exceed the Maine State rate for Privately Owned Vehicle (POV) reimbursement for the actual cost of the training session or convention paid by the Town.

## 29. SMOKING POLICY

In keeping with the Town's intent to provide a safe and healthy work environment, smoking is prohibited throughout all municipal buildings and vehicles and near all public entrances to municipal buildings.

This policy applies equally to all employees, customers, and visitors.

## 30. ALCOHOL AND DRUG TESTING

Employees who operate vehicles on public roads as part of their job duties will be subject to compliance with United States and Maine Department of Transportation drug and alcohol testing programs. Employees refusing to comply with required the Town's Drug and Alcohol Policy (See Exhibit B) will be subject to disciplinary action up to and including termination.

## 31. SAFETY

The Town provides information to employees about work place safety and health issues through regular internal communication channels such as supervisor-employee meetings, bulletin board posting, memos, or other written communication.

Employees and supervisors receive periodic work place safety training. The training covers potential safety and health hazards and safe work practices and procedures to eliminate or minimize hazards.

Reports and concerns about workplace safety issues may be made anonymously if the employee wishes. All reports can be made without fear of reprisal.

Each employee is expected to obey safety rules and to exercise caution in all work activities. Employees must immediately report any unsafe condition to the appropriate department head. Employees who violate safety standards, who cause hazardous or dangerous situations, or who fail to report or where appropriate, remedy such situations, may be subject to disciplinary action up to and including dismissal. Compliance with safety rules and procedures will be a subject of employee evaluations.

In the case of accidents that result in injury, regardless of how insignificant the injury may appear, employees should immediately notify the appropriate department head. Such reports are necessary to comply with laws and initiate insurance and worker's compensation benefits procedures.

### 32. SOCIAL SECURITY

The Town participates jointly with employees in Social Security payments. Participation is Mandatory. Benefits provided include a retirement feature, survivor's benefits payments if death occurs before retirement, disability insurance, and Medicare coverage.

### 33. HEALTH INSURANCE AND INCOME PROTECTION

The Town may participate in health and dental plans. Individual coverage and plan offerings will be reviewed annually and presented to employees during the annual enrollment period. An employee may opt for an insurance buyout equal to 50% of the premium cost savings to the Town based on the insurance coverage that the employee is eligible for. Employees must opt in/out of a buyout during open enrollment to be effective for January 1 and shall be paid such taxable monies on a weekly basis.

When enrolled in the MMEHT health insurance, employees are eligible for life insurance equal to one year's wages or salary. Life insurance offerings may be reviewed annually by the Select Board.

### 34. PERSONAL EFFECTS CLAUSE

The Town agrees that personal effects will be replaced within the limits and conditions set forth in the Town's Workers' Compensation Plan.

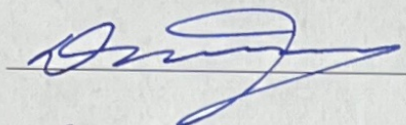
Approved Town employees will be provided a cell phone and related cell phone usage will be paid for at the discretion of the Select Board.

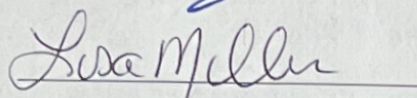
### 35. TOWN VEHICLE POLICY

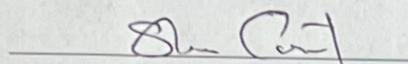
Town owned vehicles shall be used for official Town business only. Town employees or their designees may only operate vehicles and equipment owned by the Town if such operation is within the scope of their employment. Use of Town vehicles and equipment for personal reasons or benefits is prohibited.

### 36. The Town shall present this Personnel Policy to any employee of the Town and the employee shall sign the Personnel Acknowledgment (See Form 2 Attached) acknowledging receipt and review of this Policy.

This Personnel Policy is adopted by the Town of Weld' Select Board at the regular meeting dated June 17, 2025.

 Dina Walker, Chair

 Lisa Miller

 Steve Conant

FORM 1

REQUEST USE OF ACCRUED COMPENSATORY TIME

I, \_\_\_\_\_, request the use of \_\_\_\_ hours of accrued compensatory time to be used on \_\_\_\_\_ (date of work day: 48 hours after the date of request).

Date of request: \_\_\_\_\_

Name of employee: \_\_\_\_\_

Signature of Employee: \_\_\_\_\_

Request Approved by:

Name of Supervisor: \_\_\_\_\_

Signature of Supervisor: \_\_\_\_\_

Date of approval: \_\_\_\_\_

Form 2

Personnel Acknowledgement Form

I have received and read the Town of Weld's Personnel Policy ("Policy"), and I agree to comply with the policies and rules contained therein.

I understand that the Policy is effective June \_\_, 2025 (as amended by the Select Board as necessary from time to time) and replaces and supersedes all previous policies. I understand that this Policy represents only current policies, programs and benefits and that it does not constitute as a contract of employment. The Town of Weld may change these policies and benefits, as it deems advisable to meet its needs and the needs of its employees.

Print Full Name:

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Signature:

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Date:

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EXHIBIT A

Employee Evaluation Form

<b>Performance Area</b> [e.g., productivity, responsiveness]	<b>Performance Scale (1-4)</b> [1- Unsatisfactory; 2 – Below Average; 3 – Average; 4 – Outstanding]	<b>Supervisor Comment</b>
<b>Quality of Work</b> [DN: Can be more specific to the task]		
<b>Interpersonal Skills</b> [communication]		
<b>Performance of Job Description Tasks</b> [DN: list them here]		
<b>Can the Employee work independently?</b>		
<b>[Insert any other category of expectation from the Supervisor]</b>		

**General Comments:**

The above evaluation has been reviewed and discussed with the employee named on this Form by

Supervisor:

Signature of Supervisor: \_\_\_\_\_

Date: \_\_\_\_\_

Acknowledged by employee:

Signature of Employee: \_\_\_\_\_

Name of Employee (print): \_\_\_\_\_

Date: \_\_\_\_\_

EXHIBIT B

**Town of Weld**

**Drug and Alcohol Policy**

Employees of the Town of Weld (“Town”) are not permitted to use, sell, transfer, possess, or be under the influence of alcohol or illegal drugs while on Town premises, on work duty, and on breaks.

Town recognizes that there are state laws that decriminalize the use of marijuana for recreational and medical purposes. However, marijuana is still an illegal substance under federal law. Employees are not permitted to use, sell, transfer, possess, or be under the influence of marijuana in any form, or to be under the influence of marijuana, while on Town property, on work duty, or on breaks. An employee may be presumed to be under the influence of marijuana if s/he has ingested marijuana in any form within two (2) hours of starting work. Furthermore, employees must ensure that their persons and effects do not emit the odor of marijuana (or any other illegal drug or alcohol) in the workplace.

Any employee using a prescription or over-the-counter medication that could interfere with job safety or job performance must notify the Town. Use of any prescription medication in a manner that impacts employee safety or renders an employee unable to perform the essential functions of the job (with or without reasonable accommodation) is not permitted.

Any employee suspected of violating this policy will be promptly removed from his or her work area and work duties, and the matter will be investigated by the employee’s relevant department head. Any employee who suspects another employee of possessing, using, or being under the influence of alcohol or illegal drugs in violation of this policy are required to immediately report their suspicion to the relevant department head, and cooperate in any subsequent investigation. If it is found that an employee has violated this Drug and Alcohol policy, that person may be disciplined, up to, and including, termination.