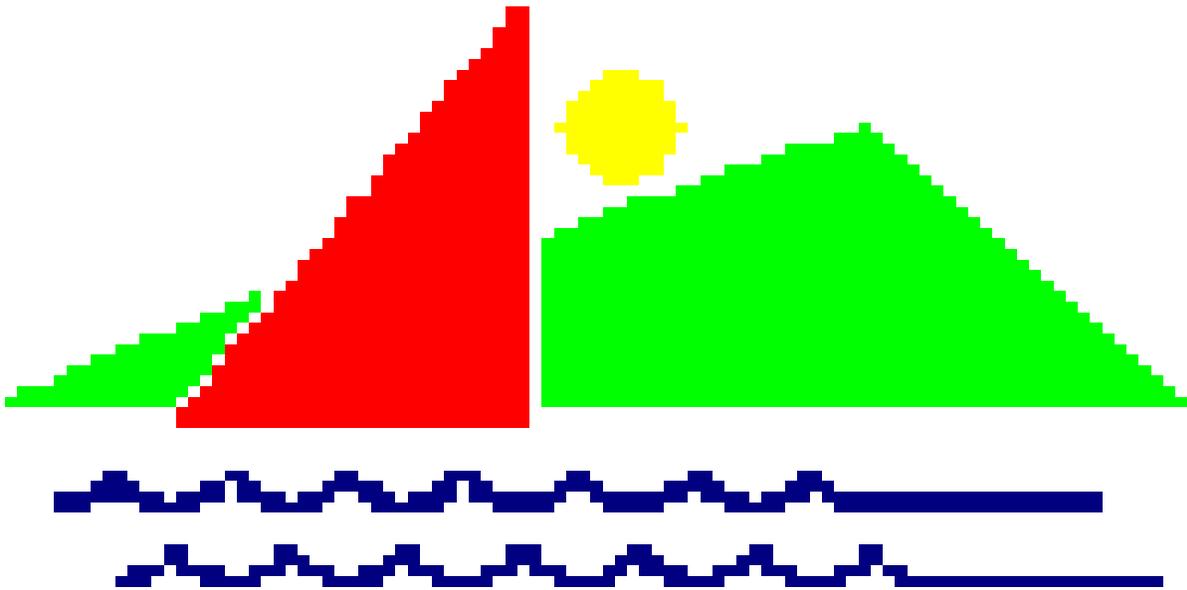


Town of Frye Island Employee Handbook



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Appendix A:	Ferry Service Operations Policies and Procedures

1-00 General Policy

Frye Island is an unusually attractive community in which to live. It is the goal of the Board of Selectmen and Executive Committee to provide an equally attractive community in which to work. By providing competitive Salaries and benefits, the objective is to employ persons qualified to fill their positions, and to retain them from year to year. By doing so, a high level of service to the residents and property owners of Frye Island will be provided at an affordable cost.

Note to Employees

This is the new Town of Frye Island Employee Handbook. This document will supersede all other previous Employee Handbook documents. Please review this document carefully.

Following your review, sign the acknowledgment form and return to your respective Director.

A copy of this handbook will be available within each department and also at Frye Island Town Office.

This Employee Handbook (the "Handbook") was developed to describe some of the expectations of our employees and to outline the policies, procedures, programs, and benefits available to eligible employees. Employees should familiarize themselves with the contents of the Handbook, as it will answer many questions about employment with the Town of Frye Island.

Note to Volunteers

All Frye Island volunteers should be familiarized and versed with the contents of the Employee Handbook and the Operational Policies and Procedures within their respective department.

All Volunteers must be both versed and trained in all areas of safety.

Any questions concerning volunteers and this Handbook should be directed to the Town Manager and the respective department Director.

Introductory Statement:

This Handbook is designed to acquaint you with operational policies and procedures relative to the Town of Frye Island, hereinafter referred to as the Town. This document will provide you with information about working conditions, employee benefits, and some of the policies affecting your employment.

This Handbook is not a contract and is not intended to create any contractual or legal obligations. You should read, understand, and comply with all provisions of the Handbook. It describes many of your responsibilities as an employee and outlines the programs developed by Town. One of our objectives is to provide a work environment that is appropriate for both personal and professional growth.

No Handbook can anticipate every circumstance or question about policy. As the Town continues to grow the need may arise and the Town reserves the right to revise, supplement, or rescind any policies or portion of the Handbook as it deems appropriate, in its sole and absolute discretion. The only exception is our employment-at-will policy permitting you or Town to end our relationship for any reason at any time, so long as

there is no violation of applicable federal or state law. The employment-at-will policy cannot be changed except in a written agreement signed by both you and the appropriate Town representatives. Employees will, of course, be notified of such changes to the Handbook as they occur.

Homeowners, guests and the general public are among the Town's most valuable assets. Every employee represents the Town to these individuals. The way we do our jobs presents an image of our entire department. We are all judged as to how individuals are treated with each employee contact. Therefore, one of our first priorities is to assist any individual whenever possible. Nothing is more important than being courteous, friendly, helpful, and prompt in the attention you give to your duties and to the public at large.

1-01 Nature of Employment

Employment with the Town is voluntarily entered into and is "at-will," which means that the employee is free to resign at will at any time, with or without notice or cause. Similarly, the Town may terminate the employment relationship at any time, with or without notice or cause, so long as there is no violation of applicable federal or state law. No one has the authority to make verbal statements that change the at-will nature of employment, and the at-will relationship cannot be changed or modified for any employee except in a written agreement signed by that employee and appropriate representatives of the Town.

Policies set forth in this Handbook are not intended to create a contract, nor are they to be construed to constitute contractual obligations of any kind or a contract of employment between the Town and any of its employees. The provisions of the Handbook have been developed at the discretion of the Town Officials and, except for its policy of employment-at-will, may be amended or cancelled at any time, at the sole discretion of the Town.

These provisions supersede all existing policies and practices and may not be amended or added to without the express written approval of the person designated by the Town. Any change to this document will require a review and subsequent approval from the appropriate Town Officials.

1-02 Public and Employee Relations:

Employees are prohibited from engaging in any conduct that could reflect unfavorably upon the Town or disrupt the efficient operations of the administration of the Town. Employees must avoid any action which might result in, or create the impression of, using public employment for private gain, giving preferential treatment to any person, or losing complete impartiality in conducting Town business.

The cooperation of all employees is essential to operate the Town efficiently. The taxpayers of Frye Island are entitled to the best service that can be provided. Cooperation, courtesy and responsibility are the key elements of good service.

1-03 Receipt of Gifts

Town employees are 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 non-performance of his/her official duties.

Acceptance of nominal gifts, such as food and refreshments in the ordinary course of business

meetings, or unsolicited advertising or promotional materials such as pens, note pads, calendars, etc. is permitted.

1-04 Business Activities

No employee shall engage in any business other than his/her regular duties during work hours. Employees shall refrain from seeking or accepting election to any office in the Town government, and from using their influence publicly in any way for or against any candidate for office in the Town government. This rule is not be construed to prevent Town employees from becoming, or continuing to be, members of any political organization, from attending political meetings, from expressing their views on political matters, or from voting with complete freedom in any election.

If employees have concerns about work conditions or compensation, they are strongly encouraged to voice these concerns openly and directly to their respective Director or the Frye Island Town Manger, hereinafter referred to as the Town Manager. If the employee feels that either the Director or Town Manager has not acted upon their complaint to their satisfaction they may direct their complaint to the Town Board of Selectmen / Executive Committee.

Experience has shown that when employees deal openly and directly with supervisors, the work environment can be excellent, communications can be clear, and attitudes can be positive. We believe that the Town amply demonstrates its commitment to employees by responding effectively to employee concerns.

1-05 Equal Employment Opportunity

The Town of Frye Island is an equal opportunity employer.

In order to provide equal employment and advancement opportunities to all individuals, employment decisions of the Town will be based on merit, qualifications, and the needs of the Town. The Town does not unlawfully discriminate in employment opportunities or practices on the basis of race, color, religion, sex, national origin, age, disability, ancestry, medical conditions, family care status, sexual orientation, or any other basis prohibited by law.

The Town will make reasonable accommodations for qualified individuals with known disabilities unless doing so would result in an undue hardship to the extent required by law. This policy governs all aspects of employment, including selection, job assignment, work schedules, compensation, discipline, termination, and access to benefits and training.

Any employees with questions or concerns about any type of discrimination in the workplace are encouraged to bring these issues to the attention of their Director or the Town Manager. Employees can raise concerns and make reports without fear of reprisal. Anyone found to be engaging in any type of unlawful discrimination will be subject to disciplinary action, up to and including termination of employment.

1-06 Business Ethics and Conduct

The successful business operation and reputation of the Town are built upon the principles of fair dealing and the ethical conduct of our employees. Our reputation for integrity and excellence requires careful observance of the spirit and the letter of all applicable laws and regulations, as well as a scrupulous regard for the highest standards of conduct and personal integrity.

The continued success of the Town is dependent upon trust and we are dedicated to preserving that trust. Employees owe a duty to the Town to act in a way that will merit the continued trust and confidence of the public.

The Town will comply with all applicable laws and regulations and expects its directors, officers, and employees to conduct business in accordance with the letter, spirit, and intent of all relevant laws and to refrain from any illegal, dishonest, or unethical conduct.

In general, the use of good judgment, based on high ethical principles, will guide you with respect to lines of acceptable conduct. If a situation arises where it is difficult to determine the proper course of action the matter should be discussed openly with your immediate Director and, if necessary, with the Town Manager for advice and consultation.

Compliance with this policy of business ethics and conduct is the responsibility of every Town employee. Disregarding or failing to comply with this standard of business ethics and conduct could lead to disciplinary action, up to and including possible termination of employment.

1-07 Immigration Law Compliance:

The Town is committed to employing only United States citizens and aliens who are authorized to work in the United States and does not unlawfully discriminate on the basis of citizenship or national origin.

In compliance with the Immigration Reform and Control Act of 1986, each new employee, as a condition of employment, must complete the Employment Eligibility Verification Form I-9 and present documentation establishing identity and employment eligibility. Former employees who are rehired must also complete the form if they have not completed an I-9 with the Town within the past three years or if their previous I-9 is no longer retained or valid.

Employees with questions or seeking more information on immigration law issues are encouraged to contact the Town Manager. Employees may raise questions or complaints about immigration law compliance without fear of reprisal.

1-08 Responsibility and Authority

The Town recognizes that it is a fundamental principle that responsibility cannot be assigned to an individual without also delegating the authority necessary in order to accomplish the task(s) at hand. If you feel that you do not have the authority to perform a particular responsibility assigned to you, check with your Director for clarification and a mutual understanding.

1-09 Communication

Clear, courteous and concise communication is necessary to ensure safety and to avoid any misunderstanding. Communication must be kept open throughout the chain of command.

When communicating in either a verbal or written form, you should strive to convey your thoughts in an easily understood fashion. Avoid run-on sentences in written correspondence. As a rule of thumb, you should not just express yourself to be understood, but in a fashion where you cannot be **misunderstood**.

You should always seek clarification whenever there are any questions regarding communication.

1-10 Conflicts of Interest

Employees have an obligation to conduct business within guidelines that prohibit actual or potential conflicts of interest. This policy establishes only the framework within which the Town wishes the business to operate. The purpose of these guidelines is to provide general direction so that employees can seek further clarification on issues related to the subject of acceptable standards of operation. Contact your Director or the Town Manager for more information or questions about conflicts of interest.

An actual or potential conflict of interest occurs when an employee is in a position to influence a decision that may result in a personal gain for that employee or for a relative as a result of the Town business dealings. For the purposes of this policy, a relative is any person who is related by blood or marriage or whose relationship with the employee is similar to that of persons who are related by blood or marriage.

No "presumption of guilt" is created by the mere existence of a relationship with outside firms. However, if employees have any influence on transactions involving purchases, contracts, or leases, it is imperative that they disclose to an officer of Town as soon as possible the existence of any actual or potential conflict of interest so that safeguards can be established to protect all parties.

Personal gain may result not only in cases where an employee or relative has a significant ownership in a firm with which the Town does business, but also when an employee or relative receives any kickback, bribe, substantial gift, or special consideration as a result of any transaction or business dealings involving the Town.

1-12 Non-Disclosure

Town employees who have access to confidential information pertaining to persons or property in the Town are prohibited from using this privileged information to their private advantage, or to provide friends, acquaintances with private advantages. All employees are charged with the responsibility of releasing only information that is required under the "right to know" law, 1MRSA Sections 401-410.

The protection of confidential business is vital to the interests and the success of the Town. Such confidential information includes, but is not limited to, the following examples:

- Compensation data.
- Computer processes, security information and passwords, safe combinations, programs and codes.
- Customer lists.
- Employee data.
- Financial information.
- Labor relations.
- Pending projects and proposals.
- Any other information deemed confidential by the Director or Town Officials.

All employees may be required to sign a non-disclosure agreement as a condition of employment. Employees who improperly use confidential business information will be subject to

disciplinary action, up to and including termination of employment and legal action, even if they do not actually benefit from the disclosed information.

1-14 Disability Accommodation

The Town is committed to complying fully with applicable disability laws and ensuring equal opportunity in employment for qualified persons with disabilities.

Hiring procedures have been reviewed and provide persons with disabilities meaningful employment opportunities. Pre-employment inquiries are made regarding only an applicant's ability to perform the duties of the position.

Reasonable accommodation is available to all disabled employees, where their disability affects the performance of job functions to the extent required by law. All employment decisions are based on the merits of the situation and the needs of the Town, not the disability of the individual.

The Town is also committed to not unlawfully discriminating against any qualified employees or applicants because they are related to or associated with a person with a disability.

This policy is neither exhaustive nor exclusive. The Town is committed to taking all other actions necessary to ensure equal employment opportunity for persons with disabilities in accordance with the ADA and all other applicable federal, state, and local laws.

2-01 Employment Categories

There are three basic categories of employment on Frye Island:

Annual These positions are filled for nominally twelve (12) months a year. These are salaried exempt positions and include the Town Manager, Treasurer, Police Chief, Public Works Director, Golf Course Superintendent and Financial Coordinator.

Seasonal These positions are hourly non-exempt positions where the employee was on the Town payroll for a minimum of 400 hours the prior calendar year. At the end of the Frye Island open season these employees are laid off with the expectation, with no guarantee, that they will return as Town employees the following year. Seasonal employees are assumed to be eligible to fill the position year to year, unless the employee has resigned or has been otherwise terminated.

The Town Manager may modify the Seasonal Employee list for the following two reasons: (1) If a person replaces an individual that worked more than the above minimum and is no longer a Town employee, the new employee filling that position may be considered a Seasonal Employee; (2) If there was a serious illness that caused the employee to work less than the above minimum, hours, the employee may be considered a Seasonal Employee.

Summer These positions are hourly non-exempt positions with work assignments during the Frye Island open season. The employee either is new or did not work enough hours the previous year to be classified as a Seasonal employee. At the end of the Frye Island open season these employees are laid off. Summer employees are annual hires, and have to re-apply annually.

2-02 Access to Personnel Files

The Town will maintain a personnel file for each employee. The personnel file includes such information as the employee's job application, résumé, records of training, documentation of performance appraisals and salary increases, and other employment records.

Personnel files are the property of the Town of Frye Island and access to the information they contain is restricted. Generally, only the appropriate Town officials have a legitimate reason to review information in this file and are allowed to do so.

Employees who wish to review their own file should contact the Town Manager. With reasonable advance notice, employees may review their own personnel files in the Town offices and in the presence of an individual appointed by the Town to maintain the files.

2-04 Personal Data Changes

It is the responsibility of each employee to promptly notify the Town of any changes in personal data. This includes but is not limited to, personal mailing addresses, telephone numbers, number and names of dependents, individuals to be contacted in the event of an emergency. Educational accomplishments and other such status reports should be accurate and current at all times. If any personal data has changed, notify your department Director.

2-05 Introductory Periods

The introductory period is intended to give new employees the opportunity to demonstrate their ability to achieve a satisfactory level of performance and to determine whether the new position meets their expectations. The Town uses this period to evaluate employee capabilities, work habits, and overall performance. Either the employee or the Town may end the employment relationship at will at any time during or after the introductory period, with or without cause or advance notice.

2-06 Probationary Periods

All new hires shall serve a probationary period of ninety (90) days and all re-hires shall serve a probationary period of thirty (30) days. The probationary period shall commence on the first day of work and not the date of hire. During the probationary period an individual's employment can be terminated at any time without cause.

2-08 Employment Applications

The Town 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 misrepresentations, falsifications, or material omissions in any of this information or data may result in the exclusion of the individual from further consideration for employment or, if the person has been hired, termination of employment.

In processing employment applications, the Town may obtain a background check for employment.

2-09 Performance Evaluation

Employees will have personnel reviews during the month of July. Reviews will be the basis for annual pay raises. Raises will take effect as of the following year.

Department Heads will perform the Employee Review for each employee in their department.

Department Heads will recommend to the Town Manager specific raises for each individual employee in accord with the guidelines established by the Selectmen. Merit considerations will reflect employee performance. A percent range will be established by the Selectmen, for example 0 to 5%. One employee may receive a 2% merit pay raise increase, while another employee may receive a 4% merit pay raise.

The Board of Selectmen shall conduct an annual review of the Town Manager and the Treasurer prior to annual appointment.

An exit interview shall be conducted with all employees as they leave Town employment.

2-10 Job Descriptions

The Town maintains job descriptions to aid in orienting new employees to their jobs, identifying the requirements of each position, establishing hiring criteria, setting standards for employee performance evaluations, and establishing a basis for making reasonable accommodations for individuals with disabilities.

Employees should remember that job descriptions do not necessarily cover every task or duty that might be assigned, and that additional responsibilities may be assigned as necessary. Contact your Director if you have any questions or concerns about your job description.

3-00 Employee Compensation:

Pay schedules will be developed by the Town Manager and submitted to the Board of Selectmen / Executive Committee as part of the annual budget process.

3-01 Employee Benefits

Benefit eligibility is dependent upon a variety of factors, including employee classification. Your Director can identify the programs for which you are eligible.

3-02 Health Benefits

In order to assist in retaining an employee, the Board of Selectmen and Executive Committee may utilize an employment agreement (see Section 3-08) to provide Health Benefits through a carrier designated by the Town. Health Benefits are not in lieu of salary benefits. If Health Benefits are not needed, salary is not adjusted upwards by the cost of benefits to the Island. Nothing in this policy should be interpreted to prevent the Town from requiring an employee contribution for health coverage. The employee given a Health Benefit may elect to have family members covered under the Town's health benefits, with any additional premiums over single coverage paid entirely by the employee through payroll deductions.

The employees identified in the previous paragraph may be provided dental coverage and life insurance coverage. The Town shall select policies. Life insurance shall be one times the employee's annual wages.

Sick Leave will be granted to Annual and Seasonal positions at a rate of one-fifth day earned for every 40 hours worked. Compensation Time will not be included in calculating sick leave. Sick leave is not to be reimbursed if employee leaves the employment of the Island. Sick leave can accumulate from year to year. Sick leave is to be used only on those occasions when an illness prevents an employee from being present at work or when an employee's immediate family member is ill and requires attention.

Medical appointments for full time employees during working hours may be authorized in

advance by the Town Manager or Department Head, allowing up to two (2) hours per appointment,

3-03 Bereavement Leave

Bereavement time, time away from work with pay, shall be granted to all annual employees for a period of up to three (3) consecutive work days in the event of the death of an immediate family member, including parents, children, and siblings, or the parents, children or siblings of a spouse. Additional time, without pay, may be granted by the Town Manager in circumstances requiring an extended period away from work.

In addition, seasonal employees may be granted one (1) day of paid bereavement time in the event of a death in the immediate family. Additional time may be granted by the Department Head and the Town Manager depending on the employees work schedule

3-04 Vacation Benefits:

The Town Manager and Financial Coordinator are the only positions that have a vacation benefit. It is earned at the following rate:

- 2 weeks after first year
- 3 weeks after five years
- 4 weeks after ten years

Due to the seasonal nature of the island's residency, vacation time is to be taken from November to mid-April. Vacation time during an employee's first year will reflect the number of months which he/she has been employed. Because the vacation period is limited by the Island's open season, not all vacation time taken will coincide with a calendar year. Vacation time that is not taken is reimbursable if the employee leaves the employment of the island. At no time can an employee accrue more than one year's vacation time.

3-05 Compensatory Time:

Compensatory time may be accrued by an Annual employee if they perform duties over and above the normal requirements of their job. Compensatory Time will be added at the end of the season.

3-06 Holidays

The Town of Frye Island recognizes the following Holidays:

New Year's Day	Martin Luther King, Jr. Day	President's Day
Patriot's Day	Memorial Day	Independence Day
Labor Day	Veteran's Day	Thanksgiving
Day after Thanksgiving	Christmas Day	

During the period of the year when the island is closed, all offices will be closed on these days and all active employees will receive a day's pay.

During the period when the island is open, those Seasonal and Summer personnel scheduled to work on the named Holidays shall receive time & a half pay for the hours worked. Those not scheduled to work shall not receive any additional pay. Annual personnel who work on the named Holidays shall receive a compensatory day off, to be scheduled under the consultation of the Town Manager.

3-07 Travel Expenses

It is the intention of the Selectmen that employees will be adequately reimbursed for authorized outside travel. The Town's expectation is to neither overpay nor under pay an employee for his/her outside travel expenses. All employees shall use discretion and good judgment in all matters involving Frye Island funds. Travel to and from the employee's home and Frye Island is not reimbursable.

Travel by personal automobile, authorized in advance by the Town Manager, for official Town business that is more than seven miles from the Island, will be reimbursed at the then current Internal Revenue Service per mile reimbursement rate. Parking and highway tolls will also be reimbursed, with substantiating receipts for such expenses. Meals will be reimbursed only when the employee is required to be away from the Island during meal times. Lunches and Breakfasts will be reimbursed for no more than \$7.00, and dinners will be reimbursed for no more than \$15.00.

The standard Island expense voucher form (see attached Exhibit #2), available at the Town Manager's office, must be used to apply for travel reimbursement.

3-08 Employment Agreements

It is recognized by the Board of Selectmen and Executive Committee that in order to attract and retain a qualified people for key positions, this general policy may have to be amended by an Employment Agreement. Said agreement must be approved by the Board of Selectmen and Executive Committee, and shall be binding on all parties. It shall be subject to review at the request of the Manager or the Board of Selectmen.

Currently the following four positions are covered by an employment agreement: Town Manager (Wayne Fournier), Treasurer (Joseph Potts), Public Works Director, (John Crosby currently being drafted) and Golf Course Superintendant (James Hodge). These agreements are unique to each individual and the position held. In the future, the Board of Selectmen and Executive Committee may or may not decide to utilize an employment agreement for these positions

3-09 Retirement Benefit

In order to assist in retaining its employees, the Board of Selectmen and Executive Committee shall identify which Annual employees will have access to a 457 Deferred Compensation Plan. For those employees, the Town will contribute 5% of the employee's earnings to the designated plan. Employees will have the option of contributing their own funds to the plan, in accordance with the municipal 457 Plan.

Any Annual or Seasonal employee will have the option to open a 457 Plan account with the contributions coming from the employee's salary without any contribution by the Town.

3-10 Ferry Usage

As an additional benefit to all employees, the equivalent of one (1) free ferry passage will be granted to each employee for every 40 hours of work performed. All employees will receive free travel to & from work on the Island.

3-11 Golf Membership

Annual and Seasonal employees will be given the benefit of an Individual Membership at the Frye Island Golf Club. There is no Initiation Fee associated with this Individual Membership. The cost of golf cart usage (i.e., pull cart, gasoline cart, Trail Fee) would be an extra cost to the employee.

3-12 Jury Duty

The Town encourages employees to fulfill their civic responsibilities by serving jury duty when required. Employees may request unpaid jury duty leave for the length of absence.

Employees must show the jury duty summons to their Director as soon as possible so that the Director may make arrangements to accommodate their absence. Employees are expected to report for work whenever the court schedule permits.

Either the Town or the employee may request an excuse from jury duty if, in the Town's judgment, the employee's absence would create serious operational difficulties.

4-05 Employment Termination

Termination of employment is an inevitable part of personnel activity within any organization and many of the reasons for termination are routine. Below are examples of some of the most common circumstances under which employment is terminated:

- Resignation—voluntary employment termination initiated by an employee.
- Discharge—involuntary employment termination initiated by the Town.
- Layoff—involuntary employment termination initiated by the Town due to the nature of the seasonal status of the Town.
- Retirement—voluntary employment termination initiated by the employee meeting age, length of service, and any other criteria for retirement.

The Town may schedule exit interviews at the time of employment termination. The exit interview will afford an opportunity to discuss as repayment of outstanding debts to the Town, or return of Town-owned property. Suggestions, complaints, and questions can also be voiced at this time.

Nothing in this policy is intended to change the company's at-will employment policy. Since employment with the Town is based on mutual consent, both the employee and the Town have the right to terminate employment at will, with or without cause, at any time. Employees will receive their final pay in accordance with applicable state law.

4-09 Administrative Pay Corrections

The Town takes all reasonable steps to ensure that employees receive the correct amount of pay in each paycheck and that employees are paid promptly on the scheduled payday.

In the unlikely event that there is an error in the amount of pay, the employee should promptly bring the discrepancy to the attention of the Director and also the Town Accounting Department so that corrections can be made as quickly as possible.

4-10 Pay Deductions:

The law requires that the Town make certain deductions from every employee's compensation. Among these are applicable federal, state, and local income taxes. The Town also must deduct Social Security taxes on each employee's earnings up to a specified limit that is called the Social Security "wage base." The Town of Frye Island matches the amount of Social Security taxes paid by each employee.

The Town reserves the right to deduct any funds owed the Town of Frye Island by the employee.

5-01 Safety

To assist in providing a safe and healthful work environment for employees, customers, and visitors, the Town has established a workplace safety program. This program is a top priority for the Town. The Town has responsibility for implementing, administering, monitoring, and evaluating the safety program. Its success depends on the alertness and personal commitment of all.

The Town provides information to employees about workplace safety and health issues through regular internal communication channels such as employee meetings, bulletin board postings, memos, or other written communications.

Some of the best safety improvement ideas come from employees. Those with ideas, concerns, or suggestions for improved safety in the workplace are encouraged to raise them with their Director, or bring them to the attention of the Town Manager. 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 Director. 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 termination of employment.

In the case of accidents that result in injury, regardless of how insignificant the injury may appear, employees must immediately notify their Director. Such reports are necessary to comply with federal and state laws and to initiate insurance and workers' compensation benefits procedures, where applicable.

5-02 Work Schedules

Work schedules for employees vary throughout the Island season. Schedules are published in advance of each Island season. Whenever possible, personal wishes will be taken into consideration during the scheduling process.

The Director will advise employees of their individual work schedules. Staffing needs and operational demands may necessitate variations in starting and ending times, as well as variations in the total hours that may be scheduled each day and week.

Employees not exempt from the Fair Labor Standards Act shall receive overtime pay after forty (40) hours of actual work per week. All overtime shall be paid at the rate of one and one-half times the employee's nominal rate of pay. Annual employees, at the discretion of the Town Manager, may receive compensatory time for hours worked beyond forty (40) hours in a workweek.

The workweek begins on Sunday morning and ends on Saturday night. Employees are paid by check every other Thursday. Pay advances are not permitted except under extremely unusual circumstances, and only with the approval of the Town Manager

Supervisors must submit bi-weekly time sheets to the Financial Coordinator by 12:00 Noon on the Monday before payday. See the attached Exhibit #1 for the example of the Frye Island time sheet. Copies of the time sheets are available at the Town Manager's office and the Department Manager's office. Time sheets shall include the hours each employee worked, the days worked, sick time taken and vacation time taken. The employee and the supervisor shall sign time sheets.

5-04 Use of Phone and Mail Systems

Personal use of the telephone for toll calls is not permitted. Employees should practice discretion when making local personal calls and may be required to reimburse the Town for any charges resulting from their personal use of the telephone. To ensure effective telephone communications, employees should always use an approved greeting and speak in a courteous and professional manner. Please confirm information received from the caller and hang up only after the caller has done so.

5-06 Rest and Meal Periods

All employees are provided with rest and meal periods as required by Maine state law. Due to the nature of the various department demands, employees may be required to eat their lunch or snack while working or when the opportunity presents itself. Employees will be paid for these lunch and rest periods.

5-10 Emergency Closings

At times, emergencies such as severe weather, fires or power failures can disrupt the Town's operations. In extreme cases, these circumstances may require the closing of specific services (e.g. ferry operation) for an undetermined period of time.

5-12 Business and Miscellaneous Expenses

The Town will reimburse employees for reasonable business expenses incurred while on assignments. The respective Director must approve all business expenses in advance.

When approved, the actual costs the miscellaneous expenses will be reimbursed by the Town. Employees are expected to limit expenses to reasonable amounts.

5-14 Visitors in the Workplace

To provide for the safety and security of employees and the facilities within the Town, **only authorized visitors are allowed in the workplace.** Restricting unauthorized visitors helps maintain safety standards, protects against theft, ensures security of equipment, protects confidential information, safeguards employee welfare, and avoids potential distractions and disturbances.

5-16 Computer and E-mail Usage

Computers, computer files, access to e-mail systems, and software furnished to employees are Town property intended for business use. Employees should not use a password, access a file, or retrieve any stored communication without authorization.

The Town strives to maintain a workplace free of harassment and is sensitive to the diversity of its employees. Therefore, the Town prohibits the use of computers and e-mail in ways that are disruptive, offensive to others, or harmful to morale.

For example, the display or transmission of sexually explicit images, messages, and cartoons is not allowed. Other such misuse includes, but is not limited to, ethnic slurs, racial comments, off-color jokes, or anything that may be construed as harassment or showing disrespect for others. Employees should notify their Director upon learning of violations of this policy. Employees who violate this policy will be subject to disciplinary action, up to and including termination of employment.

5-17 Internet Usage

Internet access to global electronic information resources on the World Wide Web is provided by the Town to assist employees in obtaining work-related data and technology. The following guidelines have been established to help ensure responsible and productive Internet usage. While Internet usage is intended for job-related activities, incidental and occasional brief personal use of e-mail and the Internet is permitted within reasonable limits.

All Internet data that is composed, transmitted, or received via our computer communications systems is considered to be part of the official records of the Town and, as such, is subject to disclosure to law enforcement or other third parties. Employees should expect only the level of privacy that is warranted by existing law and no more. Consequently, employees should always ensure that the business information contained in Internet e-mail messages and other transmissions is accurate, appropriate, ethical, and lawful. Any questions regarding the legal effect of a message or transmission should be brought to the attention of the Town Manager.

Data that is composed, transmitted, accessed, or received via the Internet must not contain content that could be considered discriminatory, offensive, obscene, threatening, harassing, intimidating, or disruptive to any employee or other person. Examples of unacceptable content may include, but are not limited to, sexual comments or images, racial slurs, gender-specific comments, or any other comments or images that could reasonably offend someone on the basis of race, age, sex, religious or political beliefs, national origin, disability, sexual orientation, or any other characteristic protected by law.

The unauthorized use, installation, copying, or distribution of copyrighted, trademarked, or patented material on the Internet is expressly prohibited. As a general rule, if an employee did not create the material, does not own the rights to it, or has not gotten authorization for its use, it should not be put on the Internet. Employees are also responsible for ensuring that the person sending any material over the Internet has the appropriate distribution rights. Any questions regarding the use of such information should be brought to their Director or Town Manager.

Internet users should take the necessary anti-virus precautions before downloading or copying any file from the Internet. All downloaded files are to be checked for viruses; all compressed files are to be checked before and after decompression.

Abuse of the Internet access provided by the Town in violation of the law or Town policies will result in disciplinary action, up to and including termination of employment. Employees may also be held personally liable for any violations of this policy. The following behaviors are examples of previously stated or additional actions and activities that are prohibited and can result in disciplinary action:

- Sending or posting discriminatory, harassing, or threatening messages or images.
- Using the organization's time and resources for personal gain.
- Stealing, using, or disclosing someone else's code or password without authorization.
- Copying, pirating, or downloading software and electronic files without permission.
- Sending or posting confidential material, trade secrets, or proprietary information outside of the Town.
- Violating copyright law.
- Failing to observe licensing agreements.
- Engaging in unauthorized transactions that may incur a cost to the Town or initiate unwanted Internet services and transmissions.
- Sending or posting messages or material that could damage the Town's image or reputation.
- Participating in the viewing or exchange of pornography or obscene materials.
- Sending or posting messages that defame or slander other individuals.
- Attempting to break into the computer system of another organization or person.
- Refusing to cooperate with a security investigation.
- Sending or posting chain letters, solicitations, or advertisements not related to business purposes or activities.
- Using the Internet for political causes or activities, religious activities, or any sort of gambling.
- Jeopardizing the security of the Town's electronic communications systems.
- Sending or posting messages that disparages the Town.
- Passing off personal views as representing those of the Town.
- Sending anonymous e-mail messages.
- Engaging in any other illegal activities.

5-22 Workplace Violence Prevention

The Town is committed to preventing workplace violence and to maintaining a safe work environment. Given the increasing violence in society in general, the Town has adopted the following guidelines to deal with intimidation, harassment, or other threats of (or actual) violence that may occur during business hours or on its premises.

All employees should be treated with courtesy and respect at all times. Employees are expected to refrain from fighting, "horseplay," or other conduct that may be dangerous to others. Firearms, weapons, and other dangerous or hazardous devices or substances are prohibited from the premises of the Town without proper authorization.

Conduct that threatens, intimidates, or coerces another employee, or a member of the public will not be tolerated. This prohibition includes all acts of harassment, including harassment that is

based on an individual's sex, race, age, or any characteristic protected by federal, state, or local law.

All threats of (or actual) violence, both direct and indirect, should be reported as soon as possible to the immediate Director or Town Manager. This includes threats by employees, as well as threats by vendors, solicitors, or other members of the public. When reporting a threat of violence, you should be as specific and detailed as possible.

All suspicious individuals or activities should also be reported as soon as possible to your Director. Do not place yourself in peril. If you see or hear a commotion or disturbance do not try to intercede or see what is happening. Immediately contact either the Frye Island Police Dept, or the Cumberland County Sheriff's office as appropriate. The Town will promptly and thoroughly investigate all reports of threats of (or actual) violence and of suspicious individuals or activities. The identity of the individual making a report will be protected as much as is practical.

Anyone determined to be responsible for threats of (or actual) violence or other conduct that is in violation of these guidelines will be subject to prompt disciplinary action, up to and including termination of employment.

The Town encourages employees to bring their disputes or differences with other employees to the attention of their Director before the situation escalates into potential violence. The Town is eager to assist in the resolution of employee disputes and will not discipline employees for raising such concerns.

6-01 Medical Leave

The Town provides medical leaves of absence without pay to eligible employees who are temporarily unable to work due to a serious health condition or disability. For purposes of this policy, serious health conditions or disabilities include inpatient care in a hospital, hospice, or residential medical care facility and continuing treatment by a health care provider.

6-02 Family Leave

The Town provides family leaves of absence without pay to eligible employees who wish to take time off from work duties to fulfill family obligations relating directly to childbirth, adoption, or placement of a foster child or to care for a child, spouse, or parent with a serious health condition. A "serious health condition" means an illness, injury, impairment, or physical or mental condition that involves inpatient care in a hospital, hospice, or residential medical care facility or continuing treatment by a health care provider.

7-01 Employee Conduct and Work Rules

To ensure orderly operations and provide the best possible work environment, the Town expects employees to follow rules of conduct that will protect the interests and safety of all employees.

It is not possible to list all the forms of behavior that are considered unacceptable in the workplace. The following are examples of infractions of rules of conduct that may result in disciplinary action, up to and including termination of employment:

- Theft or inappropriate removal or possession of property.
- Falsification of timekeeping records.
- Working under the influence of alcohol or illegal drugs.

- Possession, distribution, sale, transfer, or use of alcohol or illegal drugs in the workplace, while on duty or while operating Town-owned vehicles or equipment.
- Fighting or threatening violence in the workplace.
- Boisterous or disruptive activity in the workplace.
- Negligence or improper conduct leading to damage of Town-owned or personal property.
- Insubordination or other disrespectful conduct.
- Violation of safety or health rules.
- Sexual or other unlawful or unwelcome harassment.
- Possession of dangerous or unauthorized materials, such as explosives or firearms, in the workplace.
- Excessive absenteeism or any absence without notice.
- Unauthorized disclosure of confidential information.
- Violation of personnel policies.
- Unsatisfactory performance or conduct.

Nothing in this policy is intended to change the company's at-will employment policy. Employment with the Town is at the mutual consent of the Town and the employee, and either party may terminate that relationship at any time, with or without cause, and with or without advance notice.

7-02 Drug and Alcohol Use

The Town of Frye Island is a drug and alcohol free workplace.

All new hires may be subject to a pre-employment drug test in accordance with the Town of Frye Island's "Substance Abuse Policy for Employment Applicants".

It is the Town's desire to provide a drug-free, healthful, and safe workplace. To promote this goal, employees are required to report to work in appropriate mental and physical condition to perform their jobs in a satisfactory manner.

While on the Town's premises and while conducting business-related activities off Town premises, no employee may use, possess, distribute, sell, or be under the influence of alcohol or illegal drugs. The legal use of prescribed drugs is permitted on the job only if it does not impair an employee's ability to perform the essential functions of the job effectively and in a safe manner that does not endanger other individuals in the workplace.

Violations of this policy may lead to disciplinary action, up to and including immediate termination of employment. Such violations may also have legal consequences.

Employees with questions or concerns about substance dependency or abuse are encouraged to discuss these matters with their Director or Town Manager to receive assistance or referrals to appropriate resources in the community.

Employees with problems with alcohol and certain drugs that have not resulted in, and are not the immediate subject of, disciplinary action may request approval to take unpaid time off to participate in an appropriate rehabilitation or treatment program.

Employees with questions on this policy or issues related to drug or alcohol use in the workplace should raise their concerns with their Director or Town Manager without fear of reprisal.

7-04 Sexual and Other Unlawful Harassment

The Town is committed to providing a work environment that is free from all forms of discrimination and conduct that can be considered harassing, coercive, or disruptive, including sexual harassment. Actions, words, jokes, or comments based on an individual's sex, race, color, national origin, age, religion, disability, sexual orientation, or any other legally protected characteristic will not be tolerated.

Sexual harassment is defined as unwanted sexual advances, or visual, verbal, or physical conduct of a sexual nature. This definition includes many forms of offensive behavior and includes gender-based harassment of a person of the same sex as the harasser. The following is a partial list of sexual harassment examples:

- Unwanted sexual advances.
- Offering employment benefits in exchange for sexual favors.
- Making or threatening reprisals after a negative response to sexual advances.
- Visual conduct that includes leering, making sexual gestures, or displaying of sexually suggestive objects or pictures, cartoons, or posters.
- Verbal conduct that includes making or using derogatory comments, epithets, slurs, or jokes.
- Verbal sexual advances or propositions.
- Verbal abuse of a sexual nature, graphic verbal commentaries about an individual's body, sexually degrading words used to describe an individual, or suggestive or obscene letters, notes, or invitations.
- Physical conduct that includes touching, assaulting, or impeding or blocking movements.

Unwelcome sexual advances (either verbal or physical), requests for sexual favors, and other verbal or physical conduct of a sexual nature constitute sexual harassment when: (1) submission to such conduct is made either explicitly or implicitly a term or condition of employment; (2) submission to or rejection of the conduct is used as a basis for making employment decisions; or (3) the conduct has the purpose or effect of interfering with work performance or creating an intimidating, hostile, or offensive work environment.

If you experience or witness sexual harassment or other unlawful harassment in the workplace you are required to report it immediately to your Director or Town Manager. If your Director is unavailable or you believe it would be inappropriate to contact that person, you should immediately contact the Town Manager. You can raise concerns and make reports without fear of reprisal or retaliation.

All allegations of sexual harassment will be quickly and discreetly investigated. To the extent possible, your confidentiality and that of any witnesses and the alleged harasser will be protected against unnecessary disclosure. When the investigation is completed, you will be informed of the outcome of the investigation.

The Director or Town Official who becomes aware of possible sexual or other unlawful harassment must immediately advise the Town Manager so it can be investigated in a timely and

confidential manner. Anyone engaging in sexual or other unlawful behavior will be subject to disciplinary action, up to and including termination of employment.

7-05 Attendance and Punctuality

To maintain a safe and productive work environment, the Town expects employees to be reliable and to be punctual in reporting for scheduled work. Absenteeism and tardiness place a burden on other employees. In the rare instances when employees cannot avoid being late to work or are unable to work as scheduled, they should notify their Director, Administrative Clerk, or on-duty department colleague as soon as possible and well in advance of the anticipated tardiness or absence.

Poor attendance and excessive tardiness are disruptive. Either may lead to disciplinary action, up to and including termination of employment.

7-06 Personal Appearance – Dress Code

Dress, grooming, and personal cleanliness standards contribute to the morale of all employees and affect the image that the Town presents to the community.

During business hours or when representing the Town, you are expected to present a clean, neat, and tasteful appearance. You should dress and groom yourself according to the requirements of your position and accepted social standards.

The Director is responsible for establishing a reasonable dress code appropriate to the job you perform. If your Director feels that your personal appearance is inappropriate, you may be asked to leave the workplace until you are properly dressed or groomed. Under such circumstances, you will not be compensated for the time away from work. Consult your Director if you have questions as to what constitutes appropriate appearance.

7-07 Return of Property

Employees are responsible for all Town property, materials, or written information issued to them or in their possession or control. Employees must return all Town property immediately upon request or upon termination of employment. Where permitted by applicable laws, the Town may withhold from the employee's check or final paycheck the cost of any items that are not returned when required. The Town may also take all action deemed appropriate to recover or protect its property.

7-08 Resignation

Resignation is a voluntary act initiated by the employee to terminate employment. Although advance notice is not required, the Town requests at least two weeks written notice of resignation from employees.

Prior to an employee's departure, an exit interview will be scheduled to discuss the reasons for resignation and the effect of the resignation on benefits.

7-10 Security Inspections

The Town wishes to maintain a work environment that is free of illegal drugs, alcohol, firearms, explosives, or other improper materials. To this end, the Town prohibits the possession, transfer, sale, or use of such materials on its premises. The Town requires the cooperation of all employees in administering this policy.

Desks, lockers, and other storage devices may be provided for the convenience of employees, but remain the sole property of the Town. Accordingly, any agent or representative of the Town can inspect them, as well as any articles found within them, at any time, either with or without prior notice.

7-12 Solicitation

In an effort to ensure a productive and harmonious work environment, persons not employed by the Town may not solicit or distribute literature in the workplace at any time for any purpose.

The Town recognizes that employees may have interests in events and organizations outside the workplace. However, employees may not solicit or distribute literature concerning these activities during working time. (Working time does not include lunch periods, work breaks, or any other periods in which employees are not on duty.)

Examples of impermissible forms of solicitation include:

- The collection of money, goods, or gifts for community groups.
- The collection of money, goods, or gifts for religious groups.
- The collection of money, goods, or gifts for political groups.
- The collection of money, goods, or gifts for charitable groups.
- The sale of goods, services, or subscriptions outside the scope of official organization business.
- The circulation of petitions.
- The distribution of literature in working areas at any time.
- The solicitation of memberships, fees, or dues.

In addition, the posting of written solicitations on company bulletin boards and solicitations by e-mail are restricted. Company bulletin boards display important information; employees should consult them frequently,

If employees have a message of interest to the workplace, they may submit it to their Director for approval. All approved messages will be posted with permission from the Director.

7-16 Progressive Discipline

The purpose of this policy is to state the Town's position on administering equitable and consistent discipline for unsatisfactory conduct in the workplace. The best disciplinary measure is the one that does not have to be enforced and comes from good leadership and fair supervision at all employment levels.

The Town's own best interest lies in ensuring fair treatment of all employees and in making certain that disciplinary actions are prompt, uniform, and impartial. The major purpose of any disciplinary action is to correct the problem, prevent recurrence, and prepare the employee for satisfactory service in the future.

Although employment with the Town is based on mutual consent and both the employee and the Town have the right to terminate employment at will, with or without cause or advance notice, the Town may use progressive discipline at its discretion.

Disciplinary action may call for any of four steps—verbal warning, written warning, suspension with or without pay, or termination of employment—depending on the severity of the problem and the number of occurrences.

Progressive discipline means that, with respect to many disciplinary problems, these four steps will normally be followed. However, there may be circumstances when one or more steps are bypassed.

The Town recognizes that there are certain types of employee problems that are serious enough to justify either a suspension or, in extreme situations, termination of employment, without going through the usual progressive discipline steps.

While it is impossible to list every type of behavior that may be deemed a serious offense the Town employee handbook list examples of problems that may result in immediate suspension or termination of employment. However, the problems listed are not all necessarily serious offenses, but may be examples of unsatisfactory conduct that will trigger progressive discipline.

By using progressive discipline, we hope that most employee problems can be corrected at an early stage, benefiting both the employee and the Town.

7-18 Problem Resolution

The Town is committed to providing the best possible working conditions for its employees. Part of this commitment is encouraging an open and frank atmosphere in which any problem, complaint, suggestion, or question receives a timely response from the immediate Director or the Town Manager.

The Town strives to ensure fair and honest treatment of all employees. Directors, Town Manger, Town Officials, and employees are expected to treat each other with respect. Employees are encouraged to offer positive and constructive criticism.

If employees disagree with established rules of conduct, policies, or practices, they can express their concern through the problem resolution procedure. No employee will be penalized, formally or informally, for voicing a complaint with the Town in a reasonable, business-like manner, or for using the problem resolution procedure.

If a situation occurs when employees believe that a condition of employment or a decision affecting them is unjust or inequitable, they are encouraged to make use of the following steps. The employee may discontinue the procedure at any step.

1. The employee presents the problem to his/her Director after the incident occurs. If the Director is unavailable or the employee believes it would be inappropriate to contact that person, the employee may present the problem to the Town Manager.
2. The Director responds to the problem during discussion or after consulting with the appropriate Town Official, when necessary. The Director documents this discussion.
3. The employee presents the problem to the Town Manager if the problem is unresolved.
4. The Town Manager counsels and advises the employee, assists in putting the problem in writing, and visits with the employee's Director.
5. If the employee is not satisfied with the action(s) of the Director and or the Town Manager, the employee may petition the Town Board of Selectmen for relief.

Not every problem can be resolved to everyone's total satisfaction, but only through understanding and discussing mutual problems can employees and management develop confidence in each other. This confidence is important to the operation of an efficient and harmonious work environment.

8-00 Life-Threatening Illnesses in the Workplace

Employees with life-threatening illnesses, such as cancer, heart disease, and AIDS, often wish to continue their normal pursuits, including work, to the extent allowed by their condition. The Town supports these endeavors as long as the employees are able to meet acceptable performance standards. As in the case of other disabilities, the Town will make reasonable accommodations in accordance with all legal requirements, to allow qualified employees with life-threatening illnesses to perform the essential functions of their jobs.

Medical information on individual employees is treated confidentially. The Town will take reasonable precautions to protect such information from inappropriate disclosure. The Director, Town Officials and other employees have a responsibility to respect and maintain the confidentiality of employee medical information. Anyone inappropriately disclosing such information is subject to disciplinary action, up to and including termination of employment.

Employees with questions or concerns about life-threatening illnesses are encouraged to contact the appropriate State of Maine resources for information and referral to appropriate services and resources.

8-01 Suggestions

As employees of the Town, you have the opportunity to contribute to our future success and growth by submitting suggestions for practical work-improvement or cost-savings ideas.

All regular employees are eligible to participate in the suggestion program.

A suggestion is an idea that will benefit the Town by solving a problem, reducing costs, improving operations or procedures, enhancing service, eliminating waste or spoilage, or making the Town a better or safer place to work. All suggestions should contain a description of the problem or condition to be improved, a detailed explanation of the solution or improvement, and the reasons why it should be implemented. Statements of problems without accompanying solutions or recommendations concerning co-workers and management are not appropriate suggestions. If you have questions or need advice about your idea, contact your Director for help.

Submit suggestions to your Director and, after review, they will be forwarded to the appropriate personnel. As soon as possible, you will be notified of the adoption or rejection of your suggestion.