

MCCA

PERSONNEL POLICY HANDBOOK

Adopted

November 12, 2014

WELCOME LETTER

On behalf of the Maine County Commissioners Association (MCCA), I wish to welcome you as a new employee.

In this *Personnel Policy Handbook*, you are provided an overview of MCCA's personnel policies, terms and conditions of employment, and employee benefits. As an MCCA employee you are responsible for reviewing and understanding the contents of the *Personnel Policy Handbook*. Should you have any questions, please contact the MCCA Administrative Office at 207-623-4697 or via email at rkulow@mainecounties.org or lauren.haven@mainecounties.org.

Welcome to MCCA! We hope your employment with us will be both beneficial and rewarding.

Rosemary E. Kulow
MCCA Executive Director

MAINE COUNTY COMMISSIONERS ASSOCIATION
PERSONNEL POLICY HANDBOOK
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MAINE COUNTY COMMISSIONERS ASSOCIATION

PERSONNEL POLICY HANDBOOK

1.0 INTRODUCTION

1.1 ABOUT THE *PERSONNEL POLICY HANDBOOK*

This Maine County Commissioners Association (hereinafter the “MCCA”) *Personnel Policy Handbook* is intended to give employees and directors a general overview of the MCCA and information regarding its personnel policies, terms and conditions of employment, and employee benefits. All policies are subject to change when the MCCA Executive Director determines that the operational needs of MCCA so require. In addition, some policies and benefit programs described in the current version of the *Personnel Policy Handbook* may be revised, suspended or eliminated by the MCCA in response to changing legal requirements. Updated versions of the *Personnel Policy Handbook* will be submitted to the Board of Directors for approval.

Each employee shall be furnished a copy of the MCCA *Personnel Policy Handbook*, as well as a copy of his/her job description at the time of employment. It shall be the responsibility of all employees to acquaint themselves thoroughly with the material in the *Personnel Policy Handbook* and any subsequent revisions. Employees are encouraged to submit suggestions for changes in personnel policies and procedures in writing to the Executive Director.

It is understood that this policy includes references that might apply to an organization larger and more complex than the current MCCA; however, the structure of the policy is being established for potential growth of the organization if determined by the Board of Directors and general membership that MCCA should provide additional member programs and services that would require additional departments and staff. As of the date of adoption of this policy, staff for MCCA includes an Executive Director and an Administrative Assistant.

Each employee shall be given a copy of the MCCA *Personnel Policy Handbook* upon assuming a position of employment. Employees are expected to abide by the terms of these policies where specifically stated.

The policies presented in the MCCA *Personnel Policy Handbook* shall not in any way violate, supersede or contradict any state or federal statute. Any statutory changes made by the local, state or federal governments shall immediately take precedence over any areas where conflict may exist.

Employees may contact the MCCA Administrative Office with questions or concerns about these policies.

1.2 MCCA STRUCTURE

1.2.1 MCCA Board of Directors

The MCCA Board of Directors shall have the responsibility for approving the policies, including a Code of Ethics, contained in this Handbook, authorizing the establishment and abolition of MCCA positions and for rendering final decisions resulting from grievance appeals relative to discharge, suspension and other disciplinary actions.

1.2.2 MCCA Executive Director

The MCCA Executive Director is the chief administrative official of the MCCA and is responsible for the administration of all departments and offices controlled by the Board of Directors. The MCCA Executive Director shall:

- Assure that all policies, rules and regulations made by the MCCA Board of Directors are faithfully executed.
- Attend all Board of Directors' meetings, except when his or her removal or suspension is being considered.
- Assure that all duties and responsibilities assigned to the Administrative Assistant of the MCCA are properly performed.
- Act as purchasing agent for all MCCA departments and offices.
- Direct and supervise the operation of all MCCA departments and offices;
- Keep the Board of Directors and the Budget & Finance Committee informed as to the financial condition of the MCCA.
- Collect all necessary financial information and prepare and submit to the MCCA Board of Directors an annual itemized estimated budget.
- Communicate and exchange information with administrative officials in all counties, special districts and agencies in accordance with policies adopted by the MCCA Board of Directors.
- Track and report on legislative activity and initiatives to MCCA membership, and represent the MCCA and the adopted positions of the MCCA Legislative Policy Committee to the Maine Legislature and United States Congress.

The MCCA Executive Director may not hold any elective MCCA office.

Unless otherwise provided by law, the MCCA Executive Director shall appoint all employees of the MCCA; however, the appointment of department managers shall be subject to confirmation by the Board of Directors. The Executive Director shall use thorough hiring processes, which shall include the use of an advisory committee for interviews, as appropriate. The functions and duties of each employee of the MCCA and the qualifications for each appointed MCCA office or position shall be prescribed by the MCCA Executive Director, subject to the advice and approval of the Board of Directors. Personnel administration shall be under the direction of the MCCA Executive Director and/or his/her designee; provided, however, that appeals of personnel actions may be taken to the Executive Committee and/or Board of Directors by aggrieved employees for resolution as provided by the Grievance Policy.

1.2.3 Department Managers

Department managers, acting on behalf of their departments, are responsible for recommending employees for promotions, demotions, and terminations to the MCCA Executive Director. They are expected to effectively supervise their employees, to report upon the efficiency and performance of subordinates, and to recommend salary increases for individual employees.

2.0 GENERAL EMPLOYMENT POLICIES AND PRACTICES

2.1 CODE OF ETHICS

As a member of the International City/County Management Association ("ICMA"), the MCCA Executive Director is committed to the mission of creating excellence in local governance, although it is understood that MCCA is not a governmental unit itself, but an instrumentality of Maine county government units, whose chief function it is to service the sixteen Maine counties. To this end, MCCA directors and employees will adhere to the following twelve (12) ICMA tenets, which govern all MCCA employees (with the exception of Tenet 7, which is not intended to limit elected officials in running for office):

Tenet 1 - Be dedicated to the concepts of effective and democratic local government by responsible elected officials and believe that professional general management is essential to the achievement of this objective.

Tenet 2 - Affirm the dignity and worth of the services rendered by government and maintain a constructive, creative, and practical attitude toward local government affairs and a deep sense of social responsibility as a trusted public servant.

Tenet 3 - Be dedicated to the highest ideals of honor and integrity in all public and personal relationships in order that the member may merit the respect and confidence of the elected officials, of other officials and employees, and of the public.

Tenet 4 - Recognize that the chief function of local government at all times is to serve the best interests of all people.

Tenet 5 - Submit policy proposals to elected officials; provide them with facts and advice on matters of policy as a basis for making decisions and setting community goals; and uphold and implement local government policies adopted by elected officials.

Tenet 6 - Recognize that elected representatives of the people are entitled to the credit for the establishment of local government policies; responsibility for policy execution rests with the members.

Tenet 7 - Refrain from all political activities which undermine public confidence in professional public administrators. Refrain from participation in the election of the members of the employing legislative body.

Tenet 8 - Make it a duty continually to improve the member's professional ability and to develop the competence of associates in the use of management techniques.

Tenet 9 - Keep the community informed about local government affairs; encourage communication between the citizens and all local government officers; emphasize friendly and courteous service to the public; and seek to improve the quality and image of public service.

Tenet 10 - Resist any encroachment on professional responsibilities, believing the member should be free to carry out official policies without interference, and handle each problem without discrimination on the basis of principle and justice.

Tenet 11 - Handle all matters of personnel on the basis of merit so that fairness and impartiality govern a member's decisions, pertaining to appointments, pay adjustments, promotions, and discipline.

Tenet 12 - Seek no favor; believe that personal aggrandizement or profit secured by confidential information or by misuse of public time is dishonest.

In addition, all elected officials and MCCA employees will be governed by the following Code of Ethics provisions:

A. No public official or MCCA employee shall, except for compensation as provided by law, use his office or any confidential information received thereby for commercial purposes, financial gain, or future employment, for him/herself, a member of his/her immediate family, or business with which s/he is associated.

B. No person shall offer or give to an MCCA employee or members of his/her immediate family or business with which s/he is associated, and no MCCA employee shall solicit or accept anything of value. Value could include a gift, loan, political contribution, award, or promise of future employment or personal benefit based on any agreement that the vote or official action of the MCCA employee would be determined thereby.

C. No public official or MCCA employee shall use, request, or permit the use of MCCA motor vehicles, equipment, materials, or property, except on the conduct of official business, unless proper approval is obtained in advance.

D. Duties and obligations will be discharged in a manner that reflects credibility upon the MCCA. Conduct that gives the appearance that decisions and actions are motivated by personal relationships or for personal gain do not meet the standards of conduct for employees under the Policy.

E. Employees shall not be employed or accept employment with any business entity or agency or engage in a professional activity which might result in a conflict of interest or cause/require the employee to disclose confidential information acquired as a result of his/her official capacity with the MCCA. Approval of secondary employment shall be obtained as provided for in section 3.4 of this Policy.

F. No MCCA officer or employee shall disclose/use information not available to members of the general public and gained by reason of his/her official position for his/her personal gain or benefit or for the personal gain or benefit of any other person or business entity.

G. No MCCA officer or employee shall transact, or solicit to transact, any business in his or her official capacity with any business entity of which the officer or employee, or his/her spouse or child is an officer, director, agent, or member, or in which the officer or employee or his/her spouse or child, owns a financial interest, or otherwise has any material interest therein. Nor shall a MCCA officer or employee, acting in a private capacity, transact or solicit to transact any business with the MCCA, or with any of its subdivisions or agencies.

H. No MCCA officer or employee shall have personal investments in any business which would reasonably create a conflict between his/her private interests and MCCA's interest.

I. No MCCA officer or employee shall have or hold any employment or contractual relationship with any business entity or agency which is subject to the regulation of, or is doing business with the MCCA, or any part of the MCCA of which s/he is an officer or employee. Nor shall any MCCA officer or employee have or hold any employment or contractual relationship which will create a continuing or frequently recurring conflict between his/her private interests and the performance of his/her public duties, or that would impede the full and faithful discharge of his/her public duties.

J. MCCA employees are encouraged to seek guidance from the MCCA Executive Director if there is any question whatsoever about the propriety of any contemplated action prior to such action being undertaken.

K. All public officials and MCCA employees shall bring personal knowledge of any violation of these Code of Ethics provisions to the attention of the department head, the MCCA Executive Director, or the MCCA Board of Directors, within 10 days of acquiring such knowledge. Reports of violations shall remain confidential unless the testimony of the person reporting the violation is required in any enforcement action applicable to the situation.

All public officials and MCCA employees will not only adhere to the above Tenets and provisions, but avoid the appearance of a departure from these principles wherever and whenever possible.

2.2 EMPLOYMENT AT WILL

This *Personnel Policy Handbook* is not a contract, express or implied, guaranteeing employment for any specific duration. Unless provided otherwise and specifically by statute, written agreement or collective bargaining agreement, either the employee or the MCCA may terminate this relationship at any time, for any reason, with or without cause or notice. No officer, employee, agent or representative of the MCCA has the authority to enter into any agreement with an employee for employment for any specified period or to make any promises or commitments contrary to the foregoing, unless it is in writing and signed by the MCCA Executive Director.

2.3 EQUAL EMPLOYMENT OPPORTUNITY STATEMENT / NON-DISCRIMINATION POLICY

MCCA is an equal opportunity employer and its management intends to fulfill, to the letter of the law, all provisions under federal, state, and local employment regulations which prohibit discrimination with respect to employment. Accordingly, MCCA will not discriminate in hiring, promotion, compensation, discharge or any other term or condition of employment due to gender (including pregnancy or related medical condition), age, race, color, ancestry, disability, family medical history or genetic information, sexual orientation, religion, national origin, parental status, marital status or covered veteran status, except where based on a bona fide occupational qualification. We will not discriminate against anyone who has filed a Workers' Compensation claim, nor an employee who has brought to management's attention an irregularity or violation of regulation under the Whistleblowers' Protection Act (see separate section on Whistleblowers'). MCCA will not permit, condone or tolerate unlawful discrimination against employees in any manner whatsoever, and all employees and supervisors are obligated to support the concept of equal employment opportunity at MCCA.

An employee who believes he or she has been subject to unlawful discrimination of any kind should bring the matter to the attention of his or her department manager or the MCCA Executive Director. Any complaints will be investigated promptly and corrective action taken as deemed appropriate, while restricting information to those who have a need to know. Further, management will ensure that there is no coercion, harassment, retaliation, or intimidation directed toward any employee who has registered a complaint of unlawful discrimination or who has been involved in the investigation or hearing of a complaint.

The use of male or female gender of nouns or pronouns is not intended to describe any specific employee or group of employees, but is intended to refer to all employees in job classifications, regardless of sex.

If a bona fide occupational qualification should exist, a statement of the facts supporting this determination shall be placed in the personnel file of the individual hired.

The MCCA will consider for employment only those individuals who are legally eligible for employment in the State of Maine. Prior to the start of employment all applicants must provide proof of citizenship or eligibility for employment certification in accordance with state and federal regulations.

2.4 AMERICANS WITH DISABILITIES ACT (ADA) POLICY

MCCA is firmly committed to comply with all applicable provisions of the Americans with Disabilities Act. It is MCCA's policy not to discriminate against any qualified applicant or employee with regard to any terms or conditions of employment because of such individual's disability or perceived disability so long as the individual can perform the essential functions of the job, with or without reasonable accommodation. Consistent with nondiscrimination, the MCCA will provide reasonable accommodation to a qualified individual with a disability, as defined by ADA, who has made us aware of his or her disability, provided that such accommodation does not constitute an undue hardship to the MCCA.

All requests for accommodations are to be submitted in writing with the appropriate supporting documentation to the employee's department manager or the MCCA Executive Director for consideration and review. The review of the request may include an evaluation and determination of the scope of the disability and, if appropriate, request for additional medical documentation, examinations, and/or opinions. The employee will be informed in advance if any request will be at his or her expense.

In conformance with the Genetic Information Nondiscrimination Act of 2008 ("GINA"), the MCCA will not discriminate on the basis of genetic information. The MCCA will comply with Maine's genetic information law that prohibits discrimination on the basis of genetic information and/or the refusal to submit to a genetic test. GINA prohibits employers and other entities covered by GINA Title II from requesting or requiring genetic information of an individual or family member of the individual, except as specifically allowed by this law. To comply with this law, do not provide any genetic information when responding to any request for medical information, such as when an accommodation for a disability is being requested or family medical leave is being sought. 'Genetic information' as defined by GINA includes an individual's family medical history, the results of an individual's or family member's genetic tests, the fact that an individual or an individual's family member sought or received genetic services, and genetic information of a fetus carried by an individual or an individual's family member or an embryo lawfully held by an individual or family member receiving assistive reproductive services.

2.5 HARASSMENT AND RETALIATION PREVENTION POLICY

Zero Tolerance: No harassment or retaliation tolerated. The MCCA will not tolerate harassment based on sex (with or without sexual conduct), sexual orientation, race, color, religion, national origin, age, or disability. The MCCA also will not tolerate retaliation for speaking out against discrimination, participating in the complaint investigation process, or for good faith reporting to the MCCA (or another public body) a violation of a law or rule or a condition or practice that would put at risk the health or safety of any employee or other individual. This Policy applies to Executive Directors, officials, managers, supervisors, employees, co-workers, vendors and other non-employees. The MCCA fully supports this Policy, and management is committed to the prevention of any form of harassment.

Prompt reporting is required. All employees must promptly report any harassing behavior or retaliation before it becomes severe or interferes with their work. The MCCA will make every effort to stop any harassment before it amounts to a violation of law. It can only do so if it is promptly reported.

Zero Tolerance: No punishment for reporting. The MCCA will not tolerate adverse treatment of an employee because he or she reported harassment, provided information relating to such a complaint or in good faith reported to the MCCA or a public body a violation of a law or rule or a 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, 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 MCCA or a public body a violation of law or rule or a condition or practice that would put at risk the health or safety of any employee or other individual) is harassment 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 decisions 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 decisions (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.

None of these actions, linked with harassment or retaliation, will be tolerated.

Description of Sexual Harassment. Maine law requires that illustrations of sexual harassment be provided. The following are some examples of sexual harassment. Such behavior is not permitted.

A. Physical assaults of a sexual nature such as:

- (1) rape, sexual battery, molestation, or attempts to commit these assaults; and
- (2) intentional physical contact, such as touching, pinching, patting, grabbing, brushing against another employee's body, or poking another employee's body.

B. Unwanted sexual advances, propositions, or other sexual comments, such as:

- (1) sexually-oriented gestures, noises, remarks, jokes, or comments about a person's appearance, sexuality, sexual experience, or sexual orientation directed at or made in the presence of any employee who indicates or has indicated that such conduct in his or her presence is unwelcome;
- (2) preferential treatment or promise of preferential treatment to an employee for submitting to sexual conduct, including soliciting or attempting to solicit any employee to engage in sexual activity for gain or reward; and
- (3) subjecting, or threatening to subject, an employee to unwelcome sexual attention or conduct or intentionally making performance of the employee's job more difficult because of that employee's sex, sexual experience, or sexual orientation.

C. Sexual or discriminatory displays or publications anywhere in the workplace by employees, such as:

- (1) displaying pictures, posters, calendars, graffiti, objects, promotional materials, reading materials, or other materials that are sexually suggestive, sexually demeaning, or pornographic, or bringing into the work environment or possessing any such material to read, display, or view at work; and
- (2) displaying signs or other materials purporting to segregate an employee by sex in any area of the workplace (other than restrooms and similar semi-private lockers/changing rooms).

Complaint Process. Any individual who believes he or she has been the subject of any form of harassment should **immediately** report the incident or act to his or her department manager or the following individual:

Rosemary Kulow, MCCA Executive Director, (207) 623-4697, rkulow@mainecounties.org

Reports may be verbal or written. Employees are not required to report to anyone harassing or retaliating against them. The MCCA will promptly investigate any and all complaints. All supervisors have been trained to and are required to immediately report complaints of harassment to one of the individuals listed above.

Confidentiality. The MCCA will protect the confidentiality of harassment and retaliation allegations as much as possible. All information provided will be kept confidential and maintained in a separate confidential file. It will be discussed only with those who have a need to know in order to investigate or resolve the complaint.

Investigative Process – Corrective Action. The MCCA will promptly conduct a thorough and impartial investigation into any alleged harassment or retaliation. Steps which the MCCA 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 with a legitimate complaint of harassment or retaliation. Corrective action may include warning, training and monitoring, transfer or reassignment, suspension, or discharge of involved coworkers. The focus is upon prevention, not punishment. Any employee who reports harassment or retaliation will be informed of the general results of the investigation and corrective action taken.

The Maine Human Rights Commission is also available to investigate a complaint. The Maine Human Rights Commission can be contacted at 51 State House Station, Augusta, ME 04333, (207) 624-6050. Any employee having a complaint of harassment or retaliation has a right to bring it directly to the attention of the Maine Human Rights Commission. Employees may call or write; if a call is made, the employee should ask to speak with an intake worker. S/he will assist the employee with the complaint and will place in writing the information provided. This will then be typed up on a charge which the employee will have to sign. Once the Maine Human Rights Commission has received the signed charge form, an investigation will be conducted. The employee will be advised of the results of this investigation. Any complaint must be filed within 300 days of the act of harassment or retaliation.

Employees must report harassment. The purpose of this Policy is to encourage employees to report any harassment. Employees should not assume that the MCCA is aware of any harassment which may be encountered. It is each employee's responsibility to bring any complaints and concerns to MCCA's attention.

The above notice is annually given by the MCCA to all employees in compliance with 26 M.R.S.A. § 807(2) and EEOC Enforcement Guidance (06/18/99).

2.6 WHISTLEBLOWER'S PROTECTION ACT POLICY

The MCCA encourages its employees to report illegal or unsafe activities in the workplace and will protect employees from retaliation for making any such report in good faith. In addition, employees can refuse to participate in an activity that would result in a violation of state or federal statutes, or a violation or noncompliance with a state or federal rule or regulation, or that would risk his/her health and safety or that of others. If any employee of the MCCA believes that the MCCA or another employee, acting on behalf of the MCCA, has violated any state or federal law, rule or regulation, or created an unsafe condition, or violated any fiduciary responsibility, s/he should report it in writing to his or her department manager or the MCCA Executive Director without delay.

2.7 TOBACCO-FREE POLICY

MCCA recognizes its responsibility to promote and provide a safe and healthy environment for its employees, visitors, and the general public. Tobacco use, to include smokeless tobacco, cigarettes, cigars and pipes, by employees, the public, and others is prohibited in all MCCA facilities as well as entrances, exits, and within 100 feet of the buildings. Tobacco use is also prohibited in MCCA-owned vehicles at all times, and in employee-owned vehicles used in the course of work whenever another person is in the vehicle for work related reasons.

Adherence to this policy is a condition of employment with MCCA.

Failure to adhere to this Tobacco-Free Policy will lead to progressive discipline, including termination of employment, if necessary.

Anyone who expresses a desire to quit using tobacco products may receive assistance by calling the tobacco helpline at 1-800-207-1230.

2.8 DRUG-FREE WORKPLACE STATEMENT

The Federal Drug-Free Workplace Act of 1988 became effective in March of 1989. The purpose of this statement is to encourage employees to eliminate the use/abuse of controlled substances/alcohol and illegal substances among MCCA employees.

Employees who use drugs or alcohol at work or come to work under the influence of drugs or alcohol may create a hazardous situation for themselves and all those around them. In addition, all employees who use illegal drugs or alcohol at work or come to work under the influence of drugs or alcohol may be subject to disciplinary procedures or criminal prosecution where it applies.

MCCA will make available to all employees information concerning counseling, rehabilitation and employee assistance services.

Prescription drugs may affect an employee's performance or present a hazard to the employee's safety or the safety of others. Each department will make a reasonable effort to accommodate an employee's need to use prescription drugs. It is the responsibility of each employee to notify his/her immediate supervisor if he/she is reporting for work under the influence of prescription drugs or will be taking such drugs at work that may affect his/her work performance and/or the safety of the employee and others.

2.9 WORKPLACE VIOLENCE PREVENTION POLICY

MCCA is committed to preventing violence and maintaining a safe working environment. Accordingly, the MCCA has adopted the following guidelines to deal with intimidation, harassment, or other threats of (or actual) violence that may occur while working, or on MCCA property.

Prohibited Conduct

MCCA will not tolerate any type of workplace violence committed by or against any officers, officials, or employees. Officers, officials, and employees are prohibited from making threats or engaging in violent activities. The following list of behaviors, while not inclusive, provides examples of conduct that is prohibited:

- Causing physical injury to another person;
- Making threatening remarks;
- Aggressive or hostile behavior that creates a reasonable fear of injury to another person or subjects another individual to emotional stress;

- Intentionally damaging employer property or property of another employee;
- Possession of a weapon while on MCCA property or while on MCCA business, unless otherwise authorized;
- Committing acts motivated by, or related to, sexual harassment or domestic violence.

Reporting Procedures

Any potentially dangerous situations must be reported immediately to a supervisor, who will then report it to the MCCA Executive Director. All incidents will be investigated. Reports or incidents warranting confidentiality will be handled appropriately, and information will be disclosed to others only on a need-to-know basis. All parties involved in a situation will be counseled, and the results of investigations will be discussed with them.

Risk Reduction Measures

While the MCCA does not expect employees to be skilled at identifying potentially dangerous persons, employees are expected to exercise good judgment and inform immediate supervisors if any employee exhibits behavior which could be a sign of a potentially dangerous situation.

Such behaviors may include, but not be limited to:

- Discussing weapons or bringing them to the workplace;
- Displaying overt signs of extreme stress, resentment, hostility or anger;
- Making threatening remarks;
- Sudden or significant deterioration of performance; or
- Displaying irrational or inappropriate behavior.

Dangerous Emergency Situations

Employees who confront or encounter an armed or dangerous person should not attempt to challenge or disarm the individual, unless specifically trained and authorized to do so. Employees should remain calm, make constant eye contact and talk to the individual. If law enforcement can be safely notified of the need for assistance without endangering the safety of the employee or others, such notice should be given. Otherwise, the best course of action may be to cooperate and follow instructions until help arrives.

Enforcement

Threats, threatening conduct, or any other acts of aggression or violence in the workplace will not be tolerated. Any employee determined to have committed such acts will be subject to disciplinary action, leading up to and including termination, and could also be subject to criminal prosecution. Non-employees engaged in violent acts on the employer's premise will be reported to the proper authorities and fully prosecuted.

2.10 DOMESTIC VIOLENCE IN THE WORKPLACE POLICY

MCCA will support, to the fullest extent possible, victims of domestic violence and will not tolerate those who perpetrate domestic violence on work time or in MCCA facilities. Ensuring adherence to this policy requires that all individuals on MCCA premises or while representing the MCCA conduct themselves in a manner consistent with the spirit of this policy. A violation of this policy could result in disciplinary action, up to and including termination of employment.

An employee involved in a domestic violence incident must immediately report to his or her department manager, any order for protection from abuse or harassment, or any criminal charge or condition of bail or probation applicable to the employee as a defendant or plaintiff.

2.11 PROPRIETARY INFORMATION / CONFIDENTIALITY

Through the course of employment, employees may gain access to MCCA information which may be considered sensitive or confidential in nature. Information about MCCA members or others we serve, employee information, financial information, or pending lawsuits are all examples. An absolute condition of employment is that every employee respects and maintains confidentiality, both during and after employment. If an employee has any question about disclosing confidential information, he or she should discuss it with the department manager before the information is disclosed. Failure to respect and maintain confidentiality may be grounds for termination of employment and, after employment, could result in a lawsuit to enforce your confidentiality obligations.

2.12 SAFETY POLICY

The MCCA is committed to the safety of its employees and its property and equipment, and is responsible for meeting safety standards, which are considered to be a minimum standard required by the Occupational Safety and Health Act of 1970, as well as other Federal and State laws. Any employee who disregards any MCCA safety rule and/or regulation is subject to disciplinary action up to and including termination of employment.

The MCCA shall provide proper safety devices for all employees engaged in work where such devices are necessary. Such devices, where provided, must be used as intended.

Employee recommendations to improve safety and health conditions are welcomed. The MCCA will provide financial resources for the correction of unsafe conditions and will take disciplinary action against an employee who willfully or repeatedly violates workplace safety rules.

2.12.1 Reporting Injuries and Accidents

Employees must advise their immediate supervisor of all accidents, injuries or illnesses that occur while at work. The supervisor will notify the department manager who will notify the MCCA Administrative Office. All accidents, injuries or illnesses that occur while at work must be reported immediately no matter how slight they may appear.

The MCCA will provide the proper forms for reporting job-related accidents, injuries and illnesses. Any employee failing to report such occurrences will be subject to disciplinary action.

In the event of a vehicular accident while on MCCA business, the employee must report all information immediately to the immediate supervisor and the MCCA Administrative Office. In no instance should responsibility for an accident be expressed to anyone until the department manager or the MCCA Executive Director has been notified and permission has been obtained to make statements.

2.12.2 Hazardous Wastes

The Environmental Protection Agency has grouped certain chemicals and chemical groups into categories which have been defined as toxic. This means that in concentrated forms or by accumulating and combining with other chemicals (even the air) these chemicals can be hazardous to human health if exposure occurs.

From time to time in the normal course of their jobs, employees may handle materials which have been classified as hazardous by the standards of the Occupational Safety and Health Act (OSHA) regulations.

Hazardous materials that are received from our suppliers should have Material Safety Data Sheets (MSDS) or labels which state the chemical ingredients of the contents, precautions to take, and what to do if exposure occurs.

If any employee suspects that the materials or wastes he/she may encounter as an employee are hazardous (whether or not they are being created or used by the MCCA), he/she should inform a Supervisor immediately.

The MCCA is also committed to not creating or disposing of hazardous wastes which will contaminate the environment. Materials which have been judged as non-hazardous are chosen whenever possible and if hazardous materials are used, they are properly disposed of.

Employees will be informed as to how to control hazardous wastes and what to do if they are exposed to hazardous wastes.

2.12.3 Use of Personal Protective Equipment (PPEs)

Personal Protective Equipment is to be used in conjunction with safe work practices to provide for employee safety and health in the workplace. Employees of the MCCA who work in positions requiring the use of PPEs are expected to know the guidelines for the work they are performing, and ensure 100% compliance; failure to do so will result in disciplinary action, up to and including termination of employment.

2.12.4 Driving While Distracted

Employees driving on MCCA business are required to be attentive and minimize any distractions. An accident caused by an employee while driving on MCCA business can be catastrophic for both the employee and the MCCA.

The following activities are the most common distractions that cause accidents:

- Making a cell phone call or texting
- Changing a CD or a radio station
- Eating or drinking
- Reaching for something in the back seat
- Reaching for or reading a map
- Turning to talk to the passengers (including in the backseat)
- Fixing hair, shaving, putting on make-up or other personal grooming

Texting is illegal in the State of Maine and is prohibited at all times when an MCCA employee is driving on MCCA business in any vehicle. If placing a business call while driving any vehicle, the best practice is to do so when the vehicle is stopped or have a passenger place the call. If phone calls are necessary while driving, using hands-free applications reduce the risk.

2.13 WORKERS' COMPENSATION

All employees of MCCA are covered by Workers' Compensation insurance. There is no cost to the employee.

The Maine Workers' Compensation Act requires employees to report all injuries and illnesses that occur on the job, no matter how slight; failure to do so may jeopardize the employee's rights under the Act. If an employee is injured or requires medical attention, the situation must be reported immediately to the ranking supervisor on duty, and an accident report will be completed. The injured employee and the supervisor will assess the injury together and treat the injury with first aid and/or with on premise measures, only if the supervisor and employee agree that the injury is so minor as to not require professional medical attention.

If either the employee or the supervisor feels that professional medical attention may be required, then action will be taken immediately to obtain that treatment. If the injured person is mobile, the supervisor will arrange transportation to a hospital emergency room or health care facility. Under no circumstances will an injured employee drive him/herself. If the employee is unconscious, unable to move under his or her own power or is obviously seriously injured, a 911 call will be immediately placed to enable emergency medical attention. All serious injuries will be reported through the chain of command to the MCCA Executive Director by the fastest means possible.

Every situation in which an employee is injured or requires medical attention, no matter how minor, shall be documented using an accident report form. Detailed and exact information is essential to aid in the prevention of similar injuries. Accident reports must be completed as soon as practical but not later than within 24 hours of the time of occurrence. Reports should be forwarded to the Administrative Office.

During the time when an employee is receiving Workers' Compensation and is unable to work, vacation leave and sick leave will not accrue and holiday pay will not be granted. Health insurance benefits during leaves of absence are discussed in another section of this policy.

Any payroll deductions will be the responsibility of the employee while on Workers' Compensation leave.

Workers' Compensation leave may also run concurrently with Family Medical Leave, if applicable.

2.14 WORK RULES

The MCCA may adopt or amend reasonable work rules. Whenever possible, all rules, or amendments thereto, shall be posted for fourteen (14) calendar days before becoming effective.

Employees are required to abide by the terms of these policies and to comply with such rules and regulations as the MCCA may adopt. Should there be any doubt as to the employee's obligations, he/she shall comply with the rules and then grieve if he/she feels he/she has been wronged. Violations of any work rules, and/or the provisions of these personnel policies, may result in disciplinary action. All disciplinary actions shall be stated in writing and will be forwarded to the affected employee within four (4) working days of the date said actions were taken.

The reasons listed below are illustrative of behavior or conduct, which may be grounds for disciplinary action. The list is not intended to be exhaustive:

1. Violation of MCCA's policies on non-discrimination or unlawful harassment, retaliation, or sexual harassment.
2. Failure to report an accident or injury on the job or falsely stating or making a claim of illness or injury.
3. Failure to follow MCCA or department policy or procedure.
4. Consumption, possession, distribution, sale, transfer or use of alcohol or illegal drugs on MCCA property or arriving to work while under the influence of intoxicating beverages or drugs.
5. Excessive absence or repeated tardiness.
6. Unsatisfactory or poor job performance.
7. Negligent or willful damage to MCCA property.
8. Conviction of theft or a felony.
9. Use of abusive language.
10. Violation of safety procedures or safety policy, including non-compliance relative to the use of safety devices, or negligently endangering the safety of other employees or the public.

11. Acceptance of money or a gift by any employee, when given under circumstances indicating the hope or expectation of receiving better treatment than that accorded to the public in general, is prohibited and may result in immediate termination of employment.
12. Dishonesty, including falsification of employment application, official reports or other records.
13. Insubordination, including refusal to accept an assignment or walking off the job.
14. Being the aggressor in a fight or threatening violence in the workplace.
15. Unauthorized disclosure of personnel, MCCA, or personal records and/or other confidential information.
16. Willful misuse of computer equipment, including but not limited to unauthorized software installation, personal email, or other improper use of MCCA's computer systems and equipment.
17. Inappropriate use of the Internet, email, voice mail, or other forms of electronic communication.
18. Possession of firearms, weapons or explosives (unless specifically authorized in the course of duties) at any time on MCCA property.
19. Disorderly or inappropriate conduct of any kind.

2.14.1 Disciplinary Action

Disciplinary action may include, but is not limited to, the following measures:

- Counseling
- Oral Reprimand
- Written Reprimand
- Suspension (with or without pay)
- Termination of Employment

The measures need not be applied in sequence, depending on the seriousness of the infraction. Whenever disciplinary action is taken, the employee will be clearly informed of what the infraction or area of poor performance is, the actions needed to correct the situation and the consequences if the problem recurs or persists.

2.14.2 Administrative Leave

An employee at any level may be placed on paid administrative leave while an investigation is being conducted or an issue is pending resolution. All paid administrative leave must be approved by the MCCA Executive Director.

2.14.3 Disciplinary Hearings

Section 1 – Action by the Department

Any disciplinary action by the department manager upon any charge of violation of departmental rules, inefficiency, incompetence, negligence, insubordination, or other misconduct, shall be taken only after due notice and hearing, except in cases where the nature of the alleged violation warrants immediate emergency suspension. In such cases, the employee may be suspended with pay pending investigation.

Section 2 – Employee's Right to Participate

The employee so charged shall have the right to participate in the hearing. The employee has the right to retain private legal counsel to represent him/her in the process.

Section 3 – Appeal through Grievance Procedure

Any employee who feels he/she has been aggrieved in any disciplinary action may appeal through MCCA's grievance procedure.

Section 4 - Investigation

If there is an investigation of any employee suspected of violation of departmental rules and regulations or other internal misconduct, an investigation will be conducted without unreasonable delay, and the investigative process will be confidential to the greatest degree possible. The investigator shall inform the employee that an official investigation is being conducted and indicate the nature of the allegation that is the cause of the investigation. The complainant may be identified if anonymity is not required or possible due to the circumstances. If the person being interviewed is a witness only, that fact shall be stated to him/her. Interviews of an employee suspected of violation of rules or of misconduct shall be limited to questions that are directly, narrowly, and specifically related to the employee's job performance or duties as these relate to the allegation. An employee under arrest or the subject of a criminal investigation shall be afforded all rights granted to any other person under such circumstances. The employee shall be notified of the outcome of the investigation in writing within twenty (20) working days of the completion of the investigation.

2.14.4 Right of Appeal

All full-time and regular part-time employees have the right to appeal disciplinary actions with established grievance and appeal procedures.

2.14.5 Investigation of Outside Complaints

If an outside complaint is received about an MCCA employee relating to his/her work, the following procedures will be followed:

- A. Complaints shall be in writing, with the exception of sexual harassment or other complaints which the MCCA has a legal duty to investigate regardless of whether the complaint is in writing. Even in these exceptional circumstances, the MCCA will make an effort to get a written complaint.

A preliminary inquiry shall commence to determine whether or not evidence suggests a more formal investigation is warranted, as determined by the MCCA Executive Director. If an investigation is to be conducted, then the remainder of this article will be followed, beginning with Step B.

- B. The employee may or may not be advised by the MCCA Executive Director, department manager, or their designee that a complaint has been filed, the nature of the complaint, the complainant (unless anonymity is warranted) and that an investigation will commence. Notification is not required when informing the employee could prove to be a detriment to the investigation. A person under investigation may be granted administrative leave with pay during the term of investigation.
- C. If the employee is being interviewed as a witness only, he or she shall be so informed.
- D. If the employee is being interviewed or interrogated, the interview will be conducted at a reasonable time, during work hours if possible, and with the highest degree of confidentiality possible.

- E. The interview will be limited to questions that are directly, narrowly, and specifically related to the employee's job performance or duties as these relate to the complaint.
- F. Every employee is expected to cooperate fully with an interview, interrogation or any other part of an investigation under this policy and may not withhold information or otherwise refuse to cooperate. Failure of any employee to cooperate fully in an internal investigation will be grounds for discipline, up to and including termination of employment.
- G. In all cases in which an employee is interrogated concerning a serious violation of departmental rules and regulations which, if proven, would be likely to result in his/her removal from the department, and where the same can be accomplished without unreasonably delaying or impeding the investigation, he/she shall be afforded a reasonable opportunity and facilities to contact and consult privately with an attorney before being interrogated. The attorney may be present during the interrogation, but may not participate in the interrogation except to counsel the employee.
- H. At the conclusion of the investigation, the employee may be provided with a copy of any written report of the investigation, upon request.
- I. The employee will be informed in writing of the results of the investigation within twenty (20) working days after the investigation has concluded, unless there are extenuating circumstances, in which case the MCCA Administrative Office will notify the employee of the date on which notification of the results will be provided.
- J. If, as a result of the investigation, disciplinary action is taken, the employee may request a disciplinary hearing. The employee may waive the disciplinary hearing process.

2.15 PERSONNEL FILES

Insofar as permitted by law, all personnel records, including home addresses, telephone numbers, and pictures of employees shall be confidential and shall not be released to any person other than MCCA officials, except upon a legally authorized subpoena or written consent of the employee. One central personnel file and one confidential medical file will be maintained for each employee in the MCCA Administrative Office. Requests to view personnel files must be made in writing on a form for such purpose provided by the MCCA Administrative Office. The MCCA Administrative Office will make a response to the requesting party within five working days after receipt.

- 2.15.1 Upon request, an employee shall have the right to inspect his/her official personnel record. Inspection shall be during regular business hours and conducted under the supervision of the Administrative Office. An employee shall have the right to request duplicate copies for his/her own use. No records shall be withheld from an employee's inspection. An employee shall have the right to have added to his/her personnel file a written refutation of any material.
- 2.15.2 No written reprimand shall be placed in an employee's personnel file unless the employee is first given the opportunity to see a copy of the reprimand. The employee may file a written response to the reprimand, which shall be included in the personnel file.
- 2.15.3 Documentation of oral and written reprimands shall remain in an employee's personnel file for a minimum of eighteen (18) months. Documentation of more serious disciplinary issues will remain in the personnel file until at least six (6) years following the date of the documentation.
- 2.15.4 An employee may request in writing that the MCCA Executive Director remove a record of oral or written reprimand from his or her personnel file after eighteen (18) months. Removal of any

documentation related to more serious disciplinary issues may be requested after six (6) years from the date of the documentation, and will be subject to MCCA Executive Director's approval.

3.0 HIRING POLICIES AND EMPLOYMENT CONDITIONS

3.1 INTRODUCTORY AND TRIAL PERIODS

New employees shall serve a six (6) month introductory period.

Employees promoted to a new job classification will serve a three (3) month trial period. During this trial period, the employee may be reassigned to another position, if available, should job performance prove unsatisfactory. Should a promoted employee use accumulated leave time during the three (3) month trial period, the trial period may be extended by the number of leave days.

3.2 NEW EMPLOYEE ORIENTATION

A new employee will receive an orientation within the first few days on the job. This orientation will include the new employee paperwork, and a review of the job description and any specifics relating to his or her position. The Personnel Policy Manual will be distributed at the orientation, and the employee will be given a date by which to return the Employee Acknowledgement page.

3.3 ANTI-NEPOTISM POLICY

No person will be hired, promoted or transferred to a position where the hiring authority, department manager, supervisor, or anyone within the chain of command, is a relative of the employee. In addition, no relatives of an MCCA Director or the MCCA Executive Director will be hired by the MCCA, unless approved by the Board of Directors. If a reporting relationship between two existing employees occurs as a result of marriage or other event, the MCCA Executive Director will evaluate the situation and determine the appropriate course of action, which could include the transfer, demotion, or employment termination of one of the two employees ("reporting relationship" includes anyone in the chain of command, even if one of the two employees does not directly report to the other). The MCCA Executive Director may make an exception to this Policy if the relatives in question are below the level of department manager, and the Board of Directors may make an exception if the relatives in question include an individual at the level of department manager or MCCA Executive Director.

For the purposes of this Nepotism Policy, relatives are defined as: spouse, domestic partner, parents, children, parents-in-law, brother, brother-in-law, sister, sister-in-law, daughter-in-law, son-in-law, aunt, uncle, niece, nephew, stepparent, stepchild, foster parents and foster children.

3.4 OUTSIDE EMPLOYMENT

A MCCA employee may engage in outside employment if it does not interfere with job performance and does not conflict or appear to conflict with the interests of the MCCA. If the MCCA thinks a conflict of interest exists, a meeting will be held with all parties concerned to discuss the matter to make a determination. Employees who continue to engage in outside employment that has been determined to be in conflict by the MCCA, will be subject to disciplinary action up to and including termination of employment.

3.5 POLITICAL ACTIVITIES

Political activities must conform to State and Federal rules and regulations.

3.6 TRAINING

An employee required to attend a seminar, conference, or other course of training that has been approved by the department manager in advance, shall receive that employee's regular rate of pay for those hours in which the employee attends the training. If the training or related travel are outside of the employee's normal work hours, the employee shall be compensated according to the Fair Labor Standards Act and MCCA policy in regards to overtime compensation.

Outside of required training, each employee will have input on what types of training classes he/she is to attend. It is the intent to make available to all employees, as schedules will allow, time to attend training related to their work.

An employee, who receives additional training on his/her own that is not required by the department and who has not received prior approval from the department manager, is not considered to be working and is ineligible for pay or travel/mileage reimbursements.

4.0 WAGE AND HOUR POLICIES AND PRACTICES

4.1 JOB EVALUATION AND CLASSIFICATION

4.1.1 Job Descriptions

Each position employed by the MCCA is identified by a written job description, approved by the Board of Directors. The description includes: job title, minimum qualifications, to whom the position reports, who the position supervises and examples of duties and responsibilities required by the job. The definition or description of the job is based on the needs of the MCCA, not on individual skills, qualifications or performance level of an individual. Current written job descriptions of all MCCA job classifications will be maintained in the MCCA Administrative office.

4.1.2 Job Evaluation and Pay Grade System

Each position, except for positions of Directors, is assigned to a "grade" in MCCA's current pay scale, which is on file in the MCCA Administrative Office. It will be the responsibility of the department managers to periodically review current job descriptions and make recommendations to the MCCA Executive Director if changes in job content or responsibilities could potentially warrant a change in pay grade assignment.

When a new position is established or when an existing position has changed substantially as to the kind and/or level of work, the supervisor should request a review of the job pay grade assignment by submitting a written request to the department manager, accompanied by a revised job description recommended by the supervisor. An employee who thinks that his/her job has changed significantly may also request this review. Once received by the department manager, the information shall be forwarded to the MCCA Executive Director, who will evaluate the position. The final determination of the grade rests with the Executive Director; however, all changes in job descriptions are subject to the approval by the Board of Directors. Job content and hours are also subject to the approval of the Board of Directors.

Job descriptions and the related pay grades may be evaluated upward or downward based on such reviews.

4.2 EMPLOYMENT CLASSIFICATIONS

4.2.1 Full-Time Employees

Full-time employees are those scheduled for thirty-five (35) or more hours per week, on a regular basis and for a period intending to exceed six (6) months, and are eligible for benefits as described in the Benefits section of the Handbook.

4.2.2 Regular Part-Time Employees

Regular part-time employees are those scheduled for at least twenty (20) but less than thirty-five (35) hours per week on a regular basis and for a period intended to exceed six (6) months, and are eligible for benefits as described in the Benefits section of the Handbook.

4.2.3 Part-Time Employees

Part-time employees are those employed on an as-needed basis and do not meet the definition of a regular part-time employee.

4.2.4 Temporary Employees

Temporary employees may be hired for a limited period as approved by the MCCA Board of Directors, and paid an hourly wage deemed appropriate for the position by the MCCA Executive Director. These employees are expected to comply with all of the policies and procedures outlined in this *Personnel Policy Handbook*, and will be evaluated the same as regular employees. Temporary employees are not eligible for any benefits except holiday pay, proportionate to the hours worked during a regularly-scheduled workweek. If a temporary employee is required to work on a holiday, the employee shall be paid at time and one-half for all hours worked on the holiday, in addition to holiday pay. The Board of Directors may approve other benefits based on the circumstances.

If a temporary employee is hired into a full-time or regular part-time position, the original date of hire will be used for the purposes of determining the introductory period, years of service, and eligibility for retirement plans. The date of regular status will be used to determine eligibility for all other benefits.

In some situations, state or federal law may dictate employment classifications or related conditions that may differ from those stated in this section.

4.2.5 Temporary Employees (Grant-Funded)

Temporary employees who are grant-funded may be hired for a limited period subject to the approval of the MCCA Executive Director not to exceed the length of service funded by the grant for the position. Temporary employees who are grant-funded may be entitled to holiday pay proportionate to the hours worked during their regular work week. If a grant-funded temporary employee is required to work a holiday, in addition to holiday pay (as written herein), the grant-funded temporary employee shall be paid at time and one-half for all hours worked on the holiday. Such employees are not entitled to any other benefits.

4.2.6 Fair Labor Standards Act (“FLSA”) Classifications

“Non-exempt, hourly employees” are those who are not exempt from the Fair Labor Standards Act (“FLSA”), are paid on an hourly basis for each hour worked, and receive overtime pay.

“Exempt, salaried” employees are those who meet the definition of exempt under the Fair Labor Standards Act, are paid on a salary basis, and do not receive paid overtime. Salaried employees are expected to work the number of hours and schedule necessary to meet the expectations of the position.

Each employee will be notified as to his/her FLSA status.

4.3 TRAVEL EXPENSES

Any employee requesting reimbursement for work-related travel must have prior approval from his/her department manager. Mileage reimbursement shall be at the standard mileage rate established by the IRS. Travel reimbursement forms are available from the Administration Office.

When away from the MCCA office on official business, reasonable expenses will be allowed for all necessary traveling and hotel expenses, including the cost of meals (excluding alcoholic beverages) connected with those activities, with prior approval from the department manager. Detailed receipts must be submitted and attached to the travel reimbursement form and submitted through the department manager to the Administration Office for processing for reimbursement. When possible, advance payment of hotel expenses should be made through the Administration Office.

4.4 COMPENSATION PLAN

4.4.1 Initial Compensation

New employees will be compensated in accordance with the appropriate Grade and associated Salary Range for the job classification in which they are hired. Pay for entry-level employees who meet the minimum qualifications for the position will be at Step One. If the employee is in training and does not meet the minimum qualifications, s/he will be brought in at a rate less than Step One, and will advance to Step One once the minimum qualifications are met. If the new employee has prior closely-related experience, s/he may begin on a higher step as outlined in Compensation Plan. The starting pay for all positions is subject to the approval of the MCCA Executive Director, who will recommend to the Board of Directors for approval, the starting salary of management personnel based on qualifications for the job as well as previous work experience.

4.4.2 Overtime Compensation and Compensatory Time

Without prior authorization, a non-exempt employee may not start work before the scheduled time, nor work through lunch, or work past the scheduled time. All excess hours and overtime must have the prior approval of the appropriate department manager. It will be the employee's responsibility to record and justify all overtime worked on the timesheet.

Overtime for non-exempt employees will be computed based on hours actually worked over 40 in a work week. Hours actually worked shall not include hours compensated but not worked, such as holidays, sick leave, vacation leave, personal leave, etc. When overtime is worked, the department manager and the employee shall determine in advance whether the employee will receive pay or compensatory time calculated at the rate of time and one-half. Compensatory time is time worked beyond the normal 40 hours that an employee may choose to bank and use at a later date.

Compensatory time may accumulate up to a maximum of eighty (80) hours and be carried forward from one month to the next. Any compensatory hours over eighty (80) will be paid. Use of compensatory time is subject to the approval of the department manager. Upon termination of employment, unused compensatory time will be paid at the regular hourly rate, as the time and one-half adjustment for hours will have already been made.

4.4.3 Wage Adjustments

The MCCA Board of Directors will consider salary increases under the following guidelines, as outlined in the Compensation Plan:

1. **Cost of Living Increases.** All MCCA employees who are not at the top of the pay range for their positions may be eligible to receive annual cost-of-living increases based on the CPI-W (Consumer Price Index for Urban Wage Earners & Clerical Workers), as determined by the twelve month period ending August 31st each year. Any increase must be approved by the MCCA Board of Directors (and the overall budget must be approved by the Budget Committee and Board of Directors). Approved COL increases will be effective January 1st. Salary ranges will be adjusted by the amount of the approved COL increase.
2. **Step Increase.** The Board of Directors may recommend, in addition to or instead of a Cost of Living Increase, a Step Increase, which means that each employee's salary would be increased by 2% (as long as the employee is not over the top of the salary range). More than one Step increase could be approved, across the board or in special circumstances.
3. **Promotion.** An employee who is promoted to a position in a higher Grade will receive a salary increase as outlined in the Compensation Plan.

4.5 HOURS OF WORK

The MCCA Executive Director will determine the hours of work for full-time and regular part-time employees.

4.6 PAY PERIOD

MCCA's pay period is Sunday through Saturday, and employees are paid weekly on Friday for the previous week's work.

4.7 TIME SHEETS

At the end of each non-exempt employee's work period, it is the employee's responsibility to submit a time sheet to his/her department manager or his/her designee, which shows the number of hours they worked each day, as well as any holidays, leave or compensatory time taken.

At the end of each exempt (salaried) employee's work period, the employee shall submit a time sheet to his/her department manager which shows the number of days worked for the week, as well as any holidays or leave taken.

In addition, the following items are required:

- An employee taking bereavement leave must document the family member in the additional explanation box on the time sheet.
- An employee requesting that holiday hours worked be put into compensatory time must explain this in the additional explanation box on the time sheet.
- An employee taking Family Medical Leave must document this in the additional explanation box of the time sheet. In the employee's absence, the supervisor must notate the time sheet accordingly.

Time sheets must be submitted with original signatures by the employee to the department manager or his/her designee on a weekly basis. Completed and approved time sheets are to be forwarded by the department manager or his/her designee to the Administration Office by 12:00 p.m. (noon) on each Monday before payday.

In the event an employee does not submit a time sheet to the department manager or his/her designee as required by these policies, it will be the responsibility of the department manager or his/her designee to create a time sheet on behalf of the employee for submission to the Administration Office at the required time. The employee must come to the Administration Office as soon as possible to sign the time sheet.

4.8 CLOSING OF MCCA OFFICES

The MCCA Executive Director and/or his/her designee shall determine when/if MCCA offices will close due to inclement weather, emergency situations, or other reasons. When offices are closed by the Executive Director, non-essential personnel may be given scheduled time off with pay. Personnel who are required to work and those employees who choose to work will not receive any additional compensation. The designation of essential personnel shall be left to the Executive Director.

Employees who are not scheduled to work, for whatever reason, on the day of an MCCA office closure shall not receive the benefit of the closure or any credit for leave time used. Likewise, any employee not present at work when the MCCA makes a decision to close an office early will not benefit from the early closure.

Training, Around Holidays, and Other Reasons

Each department manager may on occasion decide to close his/her office, or a certain portion of his/her office, for a day or a portion of a day. The decision to close the office must be presented in advance to the MCCA Executive Director for approval. The department manager must indicate the reasons for the office closure and the expected duration. If employees are dismissed from work during the office closure, they shall receive pay for scheduled hours during the time the office is closed. In the event of an emergency, the department manager may use his/her discretion to close the office and then seek immediate approval from the MCCA Executive Director.

4.9 EMPLOYEE RESIGNATION AND TERMINATION OF EMPLOYMENT

All employees who intend to voluntarily leave employment are asked to provide the professional courtesy of providing at least a two (2)-week written notice of their intent to resign. The written notice should be sent to the department manager and the MCCA Executive Director. The last two (2) weeks of employment shall not include any paid vacation leave, sick leave, or compensatory leave, unless recommended by the department manager and approved by the MCCA Executive Director. The effective date of the resignation shall be defined as the last actual worked day, except in the case of approved sick leave.

All issued property, e.g., equipment, keys, pagers, cell phones, ID cards, clothing, and any gear must be returned to the MCCA.

An employee who leaves MCCA's employ for whatever reason within his or her initial six (6) month introductory period is not entitled to payment for sick or vacation leave, as it does not accrue to his or her benefit until completion of the introductory period.

An employee who is voluntarily terminating employment with the MCCA after completing the introductory period will receive payment for all accrued and unused vacation leave and pay in lieu of all compensatory leave, upon complying with MCCA policies. An employee who is voluntarily terminating employment after a year of service will also receive payment for one-half of his/her accumulated sick leave. In the event that employment is terminated by the MCCA for unsatisfactory job performance, the employee will be ineligible for payment of accrued and unused vacation and sick leave. Additional details are outlined in the Vacation Leave and Sick Leave sections.

In the event of the death of an employee, all accrued and unused sick and vacation leave, as well as compensatory time, will be paid to the deceased employee's estate.

Wages and accrued sick, vacation, and compensatory leave due to the employee will be paid on the first scheduled payday after the effective date of resignation or termination of employment.

5.0 JOB PERFORMANCE APPRAISAL

The primary purpose of the job performance appraisal is to encourage constructive communication between employees and management so that both may be able to accomplish their jobs in a productive and satisfying manner.

Employee job performance appraisals will become a part of the employee's personnel record, which is filed in the MCCA Administrative Office.

5.1 RESPONSIBILITY FOR APPRAISAL

At least once each year, the MCCA Executive Director is responsible for evaluating the job performance of each appointed, salaried department manager. The department manager or his/her designee or MCCA Executive Director (as applicable) will review the performance of each employee on the basis of the standards of performance established for the job for which the employee is paid, using forms provided for that purpose, at least once each year. The MCCA Executive Director is responsible for the administration of the appraisal process for all other employees through the department managers.

All new employees (including new temporary employees) will be evaluated by their department managers or the MCCA Executive Director (as applicable) at the end of thirty (30) days and at the end of the introductory period (six months). Unsatisfactory performance may result in termination of employment at any time.

All employees promoted to a new position, and who are on the three month trial period, will be evaluated at least once prior to the expiration of the trial period by the department manager or Executive Director (as applicable).

5.2 RIGHT OF APPEAL AND APPEAL PROCESS

Each employee, who has completed his/her introductory period, will have the right to appeal the findings of the evaluation process.

1. The employee will be given seven (7) working days in which to start an appeal process beginning the work day following the date the evaluation has been discussed with him/her. Within that period of time, the employee must present a written statement to his/her department manager stating the reasons for the appeal.
2. The department manager will have seven (7) working days, beginning on the date the statement is received, in which to respond in writing to the employee.
3. If the problem cannot be resolved at the department level, the employee may request a hearing before the MCCA Executive Director. This request must be in writing and presented within seven (7) working days beginning on the date the response is received from the department manager.
4. The MCCA Executive Director will hold a meeting on the appeal with all concerned within seven (7) working days following the date the written request is received.
5. Within seven (7) working days beginning the day after the meeting, the MCCA Executive Director will respond in writing to the employee as to the decision.
6. In the event the decision rendered by the MCCA Executive Director is not acceptable to the employee, the employee has seven (7) working days beginning on the date the decision is received

to request, in writing, an appeal to be heard by the Board of Directors, to take place at the next scheduled meeting. The Board of Directors may opt to schedule a special meeting to hear the appeal.

7. “Working days” for the purposes of this section are considered Mondays, Tuesdays, Wednesdays, Thursdays and Fridays, excluding holidays.
8. The decision of the Board of Directors is final.

6.0 BENEFITS

Important Note: The following sections outline the benefit programs offered by the MCCA as of the date of approval of this Handbook. If there are any discrepancies between this Handbook and Plan documents, the Plan documents will prevail. The MCCA reserves the right to change, add or delete benefit programs at any time.

6.1 TIME OFF POLICIES

6.1.1 Holidays

Full-time and regular part-time employees will observe the following twelve (12) paid holidays (plus any other day declared a holiday by the President of the United States, Maine’s Governor or the MCCA Board of Directors.)

New Year’s Day	January 1 st
Martin Luther King, Jr. Day	3 rd Monday in January
Presidents’ Day	3 rd Monday in February
Patriots’ Day	3 rd Monday in April
Memorial Day	Last Monday in May
Independence Day	July 4 th
Labor Day	1 st Monday in September
Columbus Day	2 nd Monday in October
Veterans’ Day	November 11 th
Thanksgiving Day	4 th Thursday in November
Day After Thanksgiving	Friday after Thanksgiving
Christmas Day	December 25 th

If a holiday falls on a Saturday, the observance will be moved to the preceding Friday. If a holiday falls on a Sunday, the observance will be moved to the following Monday. If a holiday is observed on a day before or after the actual holiday, there is only one holiday paid.

Employees normally scheduled but not required to work a holiday shall receive the day off with holiday pay. Holiday pay shall be proportionate to regularly-scheduled hours worked during a regular workweek as follows:

Regular Workweek	Holiday Pay	Exempt Holiday Pay
40 Hours	8.00 hours	
35 Hours	7.00 hours	
32 Hours	6.50 hours	
30 Hours	6.00 hours	
28 Hours	5.75 hours	
24 Hours	5.00 hours	
20 Hours	4 hours	
Salaried		1 day

For an employee whose job requires work on weekends, if a holiday falls on a Saturday, the employee shall have the option of observing the holiday on the preceding Friday or the actual day of the holiday. If a holiday falls on a Sunday, the employee shall have the option of observing the holiday on the following Monday or the actual day of the holiday. In any case, only one day will count as a holiday for holiday overtime.

Each full-time or regular part-time, non-exempt employee shall be paid straight time for holidays, whether worked or not. Then, a non-exempt employee who is required to work on a holiday shall be paid one and one-half (1 ½) times the straight time rate of pay for all hours worked, in addition to the holiday pay.

An employee must work or otherwise be eligible for pay on his/her regular workday prior and his/her regular workday following a holiday in order to receive holiday pay.

6.1.2 Vacation Leave

Each full-time and regular part-time employee will be entitled to vacation leave upon satisfactory completion of the Introductory Period. The date an employee was hired will be considered the anniversary date. Once the Introductory Period is complete, the employee will be eligible for vacation leave accrued from the anniversary date.

For the purpose of the vacation leave policy, a day is defined as average weekly scheduled hours divided by five (5). Vacation leave accrues as follows (proportionate to regularly scheduled hours worked during a regular work week):

* Employment	Work week	Non-Exempt Accrual Rate Month/Year	Exempt Accrual Rate Month/Year
Up to 5 years continuous service	40	8 hrs/1day = 96 hrs/12 days	1 day/12 days
	35	7 hrs/1day = 84 hrs/12 days	
	32	6.5 hrs/1day = 78 hrs/12 days	
	30	6 hrs/1day = 72 hrs/12 days	
	28	5.75 hrs/1day = 69 hours/12 days	
	24	5 hrs/1day = 60 hrs/12 days	
	20	4 hrs/1day = 48 hrs/12 days	
5 up to 10 years continuous service	40	12 hrs/1.5 days = 144 hrs/18 days	1.5 days/18 days
	35	10.5 hrs/1.5 days = 126 hrs/18 days	
	32	9.75 hrs/1.5 days = 117 hrs/18 days	
	30	9 hrs/1.5 days = 108 hrs/18 days	
	28	8.5 hrs/1.5 days = 102 hrs/18 days	
	24	7.25 hrs/1.5 days = 87 hrs/18 days	
	20	6 hrs/1.5 days = 72 hrs/18 days	
10 up to 15 years continuous service	40	14 hrs/1.75 days = 168 hrs/21 days	1.75 days/21 days
	35	12.25 hrs/1.75 days = 147 hrs/21 days	
	32	11.25 hrs/1.75 days = 135 hrs/21 days	
	30	10.5 hrs/1.75 days = 126 hrs/21 days	
	28	10 hrs/1.75 days = 120 hrs/21 days	
	24	8.5 hrs/1.75 days = 102 hrs/21 days	
	20	7 hrs/1.75 days = 84 hrs/21 days	
15 years & over continuous service	40	16 hrs/2 days = 192 hrs/24 days	2 days/24 days
	35	14 hrs/2 days = 168 hrs/24 days	
	32	13 hrs/2 days = 156 hrs/24 days	
	30	12 hrs/2 days = 144 hrs/24 days	
	28	11.25 hrs/2 days = 135 hrs/24 days	
	24	9.75 hrs/2 days = 117 hrs/24 days	
	20	8 hrs/2 days = 96 hrs/24 days	

*Determined by Employee's Anniversary Date

If a temporary schedule change exceeds three (3) months, the vacation leave accrual will change to the new temporary schedule.

6.1.2.1 Vacation leave will accrue on the last day of each calendar month worked and post the first day of the following month. No credit is given for partial months at the beginning of employment or at termination of employment.

- 6.1.2.2 Up to ten (10) days of vacation leave may be carried from one calendar year to the next for employees with up to ten (10) years of full time, continuous service. Employees having more than ten (10) years of full time, continuous service may carry up to fifteen (15) days of vacation leave from one calendar year to the next. Vacation leave accrued in excess of the allowed carryover amount will be forfeited.
- 6.1.2.3 While vacation leaves are granted with the intent of permitting an employee the opportunity to be away from his/her job, they must be scheduled so as not to interfere with normal MCCA departmental operations. The department manager must grant permission for vacation leave in advance.
- 6.1.2.4 In general, no more than two (2) continuous weeks (10 days) of paid vacation leave will be allowed to be taken at any one time. However, the Executive Director may grant exceptions to this rule. In cases where paid vacation leave is being used for an absence that qualified under the Family Medical Leave Act ("FMLA"), the employee will be encouraged to apply for FMLA leave.
- 6.1.2.5 Payment for Accrued, Unused Vacation Leave at Resignation or Termination of Employment
If employment should terminate, only accrued, unused vacation leave will be owed to the employee.

6.1.3 Sick Leave

Sick leave will be earned by all full-time and regular part-time employees, from the date of their initial full-time or regular part-time employment, at the rate of one day per month. However, no paid sick leave will be officially accrued (even though it will appear on the pay advice) or granted until an employee has completed his/her introductory period. Once the introductory period is satisfied, the employee will have access to sick leave accrued from the initial date of employment.

For the purpose of the sick leave policy, a day is defined as average weekly scheduled hours divided by five (5). Accrual of sick leave is as follows:

Employment	Non-Exempt		Exempt
	Workweek	Accrual Rate Month/Year	Accrual Rate Month/Year
All Employees	40 hours	8 hrs/1 day = 96 hrs/12 days	1 day/12 days
	35 hours	7 hrs/1 day = 84 hrs/12 days	
	32 hours	6.5 hrs/1 day = 78 hrs/12 days	
	30 hours	6 hrs/1 day = 72 hrs/12 days	
	28 hours	5.75 hrs/1 day = 69 hrs/12 days	
	24 hours	5 hrs/1 day = 60 hrs/12 days	
	20 hours	4 hrs/1 day = 48 hrs/12 days	

Accrual of sick leave is proportionate to regularly-scheduled hours worked during a regular workweek.

If a temporary schedule change exceeds three (3) months, the sick leave accrual will change to the new temporary schedule.

- 6.1.3.1 Up to a maximum of one hundred twenty (120) days of sick leave may be accrued and carried forward from one calendar year to the next.
- 6.1.3.2 Sick leave may be used when personal illness or injury renders an employee unable to perform the duties of his/her position, or for personal doctor's office visits. A doctor's certificate may be

required if personal absence exceeds three (3) consecutive days, or in the case of repeated absences.

- 6.1.3.3 Employees may also use accumulated sick leave to take immediate family members to doctor's office visits, to the hospital, or to attend to immediate family members who are ill, for up to five (5) consecutive days. (This includes a new father spending time with his spouse and newborn immediately following the birth of his child.) No more than twenty (20) days of accrued sick leave may be used during any calendar year for family illness, unless the employee has an approved absence under the Family Medical Leave Act ("FMLA"). If an FMLA leave is approved due to the serious health condition of the employee's spouse/domestic partner, child, parent or sibling, additional accrued sick time may be used. Immediate family, for the purposes of using sick leave, includes: spouse/domestic partner, parent/foster parent, or child/foster child, and the family relationship and reason for the absence should be noted on the time sheet. A doctor's certificate may be required to verify the use of sick leave for any of these absences.
- 6.1.3.4 An employee who is going to be absent for the day is required to notify his/her department manager no later than sixty (60) minutes before the scheduled start time on the day of absence. Time off for medical appointments is to be requested as far in advance as possible.
- 6.1.3.5 An employee who has exhausted his/her sick leave will be required to use other paid leave that is available to cover the absence. Any available compensatory time will be used first, and then any available vacation time will be used. If all available paid time off is exhausted, the time away will be without pay.
- 6.1.3.6 If an employee is going to be absent for more than three (3) consecutive days and the absence appears to qualify under the Family Medical Leave Act, the employee shall apply for FMLA leave.
- 6.1.3.7 **Payment for Accrued, Unused Sick Leave at Resignation or Termination of Employment**
An employee with at least one (1) year of continuous service who voluntarily separates from employment in good standing shall be paid one-half (1/2) of accrued sick leave, up to a maximum of forty-five (45) days. If an employee is dismissed for unsatisfactory job performance, he/she will not be entitled to payment for sick leave under this article.
- 6.1.3.8 **Payment of Sick Leave**
An employee, who has reached the accumulation of 90 days by the last day of the year, may request payment of one-half of the sick leave accumulated in excess of 90 days. The remaining accumulation over 90 days for the year will be forfeited. The request must be submitted on the form provided by the Administration Office no later than January 15th (or the following business day if January 15th falls on a non-business day) the following year.
- 6.1.3.9 **Conversion of Two Sick Leave Days to Personal Leave Days**
At the beginning of the calendar year, each employee may choose to convert up to two accumulated sick leave days to personal leave days. The personal leave days may be used at any time during the year on or after February 1st with the prior approval of the department manager. The request to convert the time must be submitted on the form provided by the Administration Office no later than January 15th (or the following business day if January 15th falls on a non-business day). Any unused personal days as of the end of the calendar year are forfeited.
- 6.1.3.10 **Additional Vacation Leave Days**
Employees who do not use any sick leave in a defined six-month period (Jan 1st – June 30th or July 1st - December 31st) shall be awarded one additional vacation leave day for each six-month period. This vacation leave is added the following month to accrued vacation leave and is subject to the same rules as other vacation leave days.

6.1.4 Donated Sick Leave Policy

The MCCA will administer a Donated Sick Leave Bank on a calendar year basis, which will work as follows:

A. All full-time and regular part-time, non-elected MCCA employees who have successfully completed the Introductory Period as of December 1st of any year may elect to participate in the Donated Sick Leave Bank for the following calendar year.

B. In order to be eligible to draw from the Donated Sick Leave Bank, an employee must contribute one (1) sick day annually, on December 31st, for the following calendar year. A day equals the value of a day relative to the employee's normal schedule as outlined in the Sick Leave Policy, not to exceed 8 hours. Employees must have a sick day accrued and available to donate in December to be eligible. All participating employees must complete and submit the donation form no later than the Friday before the first payday in December in order to participate. This form will remain in effect for subsequent years unless revoked by the employee in writing.

C. In the event that the Donated Sick Leave Bank becomes depleted during the calendar year, employees will be given another opportunity to donate (in writing) one (1) sick day to the Bank to cover the remainder of the calendar year. This "restocking" will be limited to once per calendar year. Any employee with a sick day available may participate, and only those employees who elect to donate for this period will be eligible to draw from the Donated Sick Leave Bank for the remainder of the year.

D. Time in the Donated Sick Leave Bank will be tracked and made available in hours (not dollars).

E. An employee may draw up to thirty (30) days from the Donated Sick Leave Bank in any one calendar year, and up to sixty (60) days in any three (3) consecutive year periods. The amount of time drawn each year may not exceed the regularly-scheduled hours (no overtime).

F. Only an employee on an FMLA-approved leave for personal or family illness (qualifying as a "serious health condition") and who has exhausted all of his/her own paid time off (vacation leave, sick leave, personal leave, and compensatory time) may draw paid time from the Donated Sick Leave Bank for the remainder of the approved FMLA leave up to the maximum allowed.

G. An employee who has purchased Short Term Disability (STD) Insurance is eligible to draw from the Donated Sick Leave Bank. Time paid from the Bank may reduce benefits under the STD Plan.

H. Donated Sick Leave is on a first come, first served basis. If there is more than one draw at a time, they will be processed concurrently pay period by pay period (i.e. the total time needed for the first draw will not be set aside in advance).

I. Sick leave days contributed to the Donated Sick Leave Bank may not be reclaimed by an employee.

J. If the Donated Sick Leave Bank is depleted after the second donation period, no more draws will be available until the Program renews the following calendar year.

K. Any days remaining in the Donated Sick Leave Bank at the end of a calendar year are forfeited.

6.2 HEALTH AND WELFARE BENEFITS

6.2.1 Health Insurance

Full-time employees may elect to enroll in MCCA's health insurance plan. Coverage becomes effective the first day of the month following thirty (30) days of employment or application, whichever is later, and new employees have sixty (60) days to decide. Thereafter, other than dropping coverage, changes can only be made when there is a qualifying event or during open enrollment in the fall each year.

Health Insurance Costs

MCCA will pay ninety percent (90%) of the cost of the individual health insurance premium for all full-time employees. Health insurance benefits, along with all other MCCA benefits, are subject to change by vote of the Board of Directors at any time, unless guaranteed in a separate written contract.

Payment of the employee's share of the premium shall be deducted from the employee's paycheck in accordance with IRS Section 125 regulations, one month in advance. Deductions are made weekly; if there are more than four (4) pay periods in a calendar month, there is no health insurance premium deduction in the fifth (5th) pay period.

Medical Opt-Out Stipend for Health Insurance Non-Enrollment

MCCA offers annual stipends to full-time employees who opt not to participate in MCCA's group health insurance plan or who elect less dependent coverage, as long as they provide proof of health insurance elsewhere for the full twelve (12) month period (January through December, annually).

Stipends shall be paid on an annual basis, through payroll, on the last pay period of the year in which the employee or elected official qualifies. Stipends are subject to all applicable Federal and State taxes. An employee who qualifies for a stipend must be able to demonstrate the presence and level of health insurance coverage for the calendar year for which the stipend is requested, and sign a waiver. A completed waiver form, along with proof of other health insurance, must be submitted to the Administrative Office no later than December 1st (or the next business day if December 1st falls on a non-business day) of each year.

The stipends will be provided as follows:

Employee Eligibility	Employee Election	Annual Stipend
Single coverage	Does not enroll in MCCA Plan	\$500
Employee and Children Only	Employee only	\$1,000
Employee and Spouse	Employee only	\$1,000
Employee and Children Only	Does not enroll in MCCA Plan	\$1,500
Employee and Spouse	Does not enroll in MCCA Plan	\$1,500
Employee and Family	Employee only	\$1,500
Employee and Family	Does not enroll in MCCA Plan	\$2,000

Other stipulations regarding the stipend:

- If a married couple works for the MCCA, both qualify separately for MCCA's health insurance, and one spouse enrolls the family, the other spouse is not eligible for the stipend.
- If an employee drops coverage for a child because the child is no longer eligible for coverage due to age, the employee is not eligible for the stipend.
- There are no prorated stipends for partial years.

6.2.2 Dental Insurance

Employees who are eligible to participate in MCCA's group health insurance plan may also participate in MCCA's group dental insurance plan, effective the first of the month following thirty (30) days of application date, and new employees have thirty (30) days from the date of employment to enroll. Thereafter, other than dropping coverage, changes may only be made when there is a qualifying event or during open enrollment in the fall each year. The dental insurance plan shall be paid entirely by the employee through payroll deduction. Employees choosing to enroll must do so during open enrollment in the fall each year, renewable annually.

6.2.3 Vision Insurance

Employees who are eligible to participate in MCCA's group health insurance plan may also participate in MCCA's group vision insurance plan, effective the first of the month following thirty (30) days of application date, and new employees have thirty (30) days from the date of employment to enroll. Thereafter, other than dropping coverage, changes may only be made when there is a qualifying event or during open enrollment in the fall each year. The vision insurance plan shall be paid entirely by the employee through payroll deduction. Employees choosing to enroll must do so during open enrollment in the fall each year, renewable annually.

6.2.4 Life Insurance

Full-time and regular part-time employees may elect to participate in MCCA's plan for life insurance at no additional cost, effective the first day of the month following thirty (30) days of the application date, and new employees have thirty (30) days from the date of employment to enroll. Changes to the election, other than dropping the coverage, may only be made when there is a qualifying event or during open enrollment in December each year.

6.2.5 Long-Term and Short-Term Disability Insurance

Full-time and regular part-time employees may elect to participate in MCCA's payroll deduction plan for long-term and/or short-term disability insurance, effective the first day of the month following thirty (30) days of the application date, and new employees have thirty (30) days from the date of employment to enroll. Changes to the election, other than dropping the coverage, can only be made when there is a qualifying event or during open enrollment in the fall each year.

6.2.6 Flexible Spending Accounts

Full-time and regular part-time employees are eligible to participate in flexible spending accounts, and new employees have thirty (30) days from the date of employment to enroll. These allow eligible personnel to use pre-tax dollars for eligible healthcare and/or child care expenses. Eligible personnel may enroll or make changes when there is a qualifying event or during open enrollment in the fall each year.

6.3 RETIREMENT BENEFITS

6.3.1 Social Security

All MCCA employees are covered by Social Security. The MCCA and the employee/elected official each contribute to this benefit.

6.3.2 Maine Public Employees Retirement System (MainePERS)

The MCCA offers a retirement plan with the MainePERS to all full-time employees. The MCCA contributes a percentage of the employee's annual salary to the retirement program, as does the employee. Contribution rates for the selected non-COLA plan at the time of policy adoption are as follows:

Employer's Share: 4.1% of employee's annual salary
Employee's Share: 7.0% of employee's annual salary

Contribution rates may change as determined by MainePERS and/or the MCCA Board of Directors.

6.4 UNEMPLOYMENT BENEFIT

MCCA participates in the Maine Municipal Association Unemployment Compensation Group Fund (MMA UC) and makes quarterly payments to the fund throughout the year. Any payments to qualified former employees will be made from this fund.

6.5 LEAVES OF ABSENCE

Important Note: Federal and state laws that govern Family Medical Leave, Military Leave and Family Military Leave frequently change. The MCCA intends to comply fully with the obligations set forth in the regulations that exist at the time that an employee applies for a leave of absence, which may differ from what appears in the current version of this Personnel Policy Handbook.

6.5.1 Family and Medical Leave Act ("FMLA") POLICY (federal and state provisions)

It is understood that the Family and Medical Leave Act may apply to employees in the MCCA in the future if the size of the organization grows. Should the appropriate organizational growth occur, a section for the FMLA will be added to the Personnel Handbook?

6.5.2 Additional Leave under State Law

- A. Maine employees may be entitled to leave if the employee or employee's daughter, son, parent, spouse, domestic partner or sibling is a victim of violence, assault, sexual assaults, stalking or any act that would support an order for protection under Title 19-A, Chapter 101 for an employee to:
 - 1. Prepare for and attend court proceedings;
 - 2. Receive medical treatment or attend medical treatment for a victim who is the employee's daughter, son, parent, spouse, domestic partner or sibling; or
 - 3. Obtain necessary services to remedy a crisis caused by domestic violence, sexual assault or stalking.
- B. Maine employees may be entitled to leave for response to an emergency. An employee who is a volunteer firefighter cannot be disciplined for being late or missing work due to responding to an emergency as a volunteer firefighter. Employees, or someone on their behalf or the fire department, must provide the MCCA with prior notice of absence if time permits.
- C. Maine employees may be entitled to leave for a public health emergency. Employees impacted by a public health emergency including an individual public health investigation, supervision or treatment, public health emergency orders, quarantine, isolation, or a concern that the employee

may expose other individuals in the workplace to an extreme public health emergency threat, will be granted reasonable and necessary unpaid leave.

6.5.3 Military Leave

Under the Uniformed Services Employment and Reemployment Rights Act (“USERRA”), members of the armed services and its reserve components who perform duties on a voluntary or involuntary basis will be reinstated to employment at the MCCA without loss of status or benefits and without any break in service, as long as the employee meets all of the requirements under the Act. These requirements include, but are not limited, to the following:

- The employee provides the MCCA with notice as far in advance as is reasonable under the circumstances, including information about the approximate beginning and concluding dates of his/her service;
- The employee may take up to a total of 5 years’ cumulative leave for military service during the time of employment at the MCCA, unless an allowed exception applies; and
- The employee meets the guidelines under the Act for reapplying for work and returning to work after the leave.

There are some circumstances where the MCCA is not required to reemploy a person after military service, including the following:

- If MCCA’s circumstances have so changed as to make such reemployment impossible or unreasonable (if, for example, a reduction in force occurred during the person’s absence that would have terminated that person’s employment);
- In the case of a person with a service-connected disability, if reemployment would impose an undue hardship on the MCCA;
- The employment from which the person leaves is for a brief, non-recurrent period and there is no reasonable expectation that such employment will continue indefinitely or for a significant period;
- Reasonable notice of the desire to return was not given, and MCCA’s established policies are violated by failure to give reasonable notice; or
- The person’s separation from service was dishonorable, based on bad conduct, or “other than honorable” conduct.

Health Insurance: As required by the Veterans Benefits Improvement Act (“VBIA”, which amended USERRA), the MCCA will offer an employee on military leave and his/her dependents the right to continue in the group health plan for up to 24 months of service. If the leave is for 31 days or less, the employee may elect to continue to participate at employee rates; if the leave is greater than 31 days, the employee may elect to continue participation but will pay 100% of the cost. If the employee elects not to continue participation in the group health insurance plan, s/he is entitled to reenter the plan upon reemployment.

Compensation: If the military leave is for 31 days or less, the MCCA will pay the difference between the employee’s regular base pay and military pay (if the base pay exceeds military pay), as long as the employee provides the MCCA with documentation of the military pay. If the leave is for more than 31 days, there is no MCCA subsidy regarding compensation. However, the employee may elect to use any accrued vacation time during the period of service.

Other Benefits: Vacation and sick leave benefits cease to accrue any time an employee has more than two (2) weeks of unpaid leave in a calendar month. Any other rights to benefits not covered in this Section of the *Personnel Policy Handbook* will be provided by the MCCA according to legal requirements in effect at the time of the leave.

Reemployment: USERRA and Maine State Law both include guidelines for the employee and the employer regarding reemployment, return to work, compensation, benefits and work requirements, based on the period of service. The MCCA HR representative will work with the employee regarding the specific requirements based on his/her unique situation.

6.5.4 Family Military Leave

Maine State Law requires employers with 15 or more employees to grant up to 15 days of unpaid family military leave per deployment to eligible employees, if requested by the employee. To be eligible, employees must have been employed by the MCCA for at least 12 months and have worked at least 1250 hours in the 12 month period just prior to the requested leave.

“Family Military Leave” means leave requested by an employee who is the spouse, domestic partner, or parent of a person who is a resident of the State of Maine and is deployed for military service for a period lasting longer than 180 days with the State or United States, pursuant to the orders of the governor or the president of the United States. Family military leave may be taken only during the 15 days immediately before deployment, during the period of deployment if the service member is granted leave, the 15 days immediately following the period of deployment, or a combination of days within these time frames. If the request for leave is for 5 consecutive work days or longer, 14 days’ notice must be provided by the employee; if the request is for less than 5 consecutive work days, the employee must provide as much advance notice as possible.

Family military leave is without pay, except to the extent that an employee elects to use unused vacation leave. An employee who takes a family military leave will be restored to the position held by the employee when the leave commenced, or to a position with equivalent status based on years of service, employee benefits, pay, and other terms and conditions of employment. Benefits in effect at the beginning of the leave will continue during and after the leave at the same employee contribution or accrual rates.

6.5.5 Bereavement Leave

In the event of death in the employee’s family, a full-time or regular part-time employee with at least 6 months of service may be granted, with department manager approval, up to three (3) days or forty (40) hours, whichever is less, paid leave to make household adjustments or to attend funeral services. (If a death in the family occurs during the employee’s first six (6) months of employment, time off may be granted without pay.) The determination of hours for a “day” of leave shall be based on the employee’s normal workweek. “Family” for the purposes of this section is hereby defined to include spouse/domestic partner, parents, children, brothers, sisters, grandparents, grandchildren, brothers-in-law, sisters-in-law, parents-in-law, grandparents-in-law, grandchildren-in-law, stepparents, stepchildren, foster parents and foster children.

In the event of a death of an aunt, uncle, niece, nephew, first cousin or spouse’s close family member, an employee shall be granted the equivalent of one (1) paid day off.

Any bereavement leave beyond this policy may be granted as sick leave, vacation leave or accrued compensatory time, with the approval of the MCCA Executive Director.

An employee taking approved bereavement leave shall note the relationship to the deceased on the time sheet.

6.5.6 Jury Duty

An employee or official summoned to jury duty will be excused from his/her work for the required period necessary to perform this duty. If the jury is excused prematurely from duty during the time of the service, the employee or official is expected to report for work as usual.

The MCCA agrees to pay the employee or official his/her regular weekly pay and the employee or official shall turn the jury duty paycheck, excluding mileage, over to the MCCA for the period of time the employee or official was required to be absent from work.

6.5.7 Personal Leave of Absence (LOA)

A personal LOA is an authorized absence from work for reasons other than paid vacation time, paid holiday, paid sick leave, or an absence covered under one of the prior leave of absence policies described in this section. Except for medical or emergency cases, a personal LOA may be granted only after an employee has completed six (6) months of continuous employment and exhausted any paid leave time available. A personal LOA is unpaid leave, except to the extent that an employee may be receiving donated leave.

A personal LOA may be granted for a maximum of three (3) months, at the discretion of the department manager as well as the MCCA Executive Director, who must give approval in writing. Personal LOAs longer than three (3) months must be approved by the Board of Directors; the employee's length of service, job performance, certainty of return, and the needs of the department will be taken into consideration prior to approval. In no instances will a Personal LOA extend beyond six (6) months.

During an approved personal LOA for up to three (3) months, employees may continue group health plan coverage under the same conditions as if they had continued to work, as long as the employee pays his or her portion of the group health premium by making on time payments to the Administration Office. If the personal LOA extends beyond three (3) months, the employee will be responsible for the full cost of the premium. MCCA's obligation to maintain health care coverage ceases if an employee's premium payment is more than thirty (30) days late. If an employee's payment is more than fifteen (15) days late, the MCCA will send a letter notifying the employee that coverage will be dropped on a specified date unless the payment is received before that date.

Vacation and sick leave benefits cease to accrue any time an employee has more than two (2) weeks of unpaid leave in a calendar month.

7.0 GRIEVANCE AND APPEAL PROCEDURES

7.1 Grievance Procedure

A grievance is hereby defined as any dispute relative to the meaning or application of the policies and procedures outlined in the *Personnel Policy Handbook*.

Step 1.

The aggrieved employee shall present the grievance verbally to his or her immediate supervisor within three (3) working days after the date of occurrence of the event or matters giving rise to the grievance. All parties will work to resolve the grievance at this level.

Step 2.

If the aggrieved employee and his or her immediate supervisor have not resolved the grievance, then the aggrieved employee must present the grievance in writing, to his/her department manager

within seven (7) working days beginning the day after occurrence of the event or matters giving rise to the grievance.

Within seven (7) working days beginning the day after the employee presents the grievance in writing, the department manager will meet with the employee to discuss the grievance, work to resolve the grievance, and respond to the aggrieved employee in writing.

Step 3.

If the grievance is not resolved between the parties within seven (7) working days beginning the day after the written response of the department manager, the aggrieved employee may submit the grievance, in writing, to the MCCA Executive Director.

The MCCA Executive Director will hold a meeting on the grievance with all concerned within ten (10) working days beginning the day after the grievance was filed with the MCCA Executive Director, unless all parties agree to an extension. Within fourteen (14) working days beginning the day after the meeting, the MCCA Executive Director will respond in writing to the aggrieved employee as to the decision on the grievance. The decision of the MCCA Executive Director is final, except in cases where the disputed action is relative to discharge, suspension or other disciplinary actions, or specifically related to a department manager's terms and conditions of employment.

Step 4.

If the disputed action is relative to discharge, suspension or other disciplinary actions, or specifically related to a department manager's terms and conditions of employment, the aggrieved employee may appeal the decision, in writing, to the MCCA Executive Committee within fourteen (14) working days beginning the day after the MCCA Executive Director's decision. The MCCA Executive Committee will hold a hearing within fourteen (14) working days beginning the day after receipt of the grievance, unless all parties agree to an extension. The MCCA Executive Committee will render a final decision in writing within fourteen (14) working days beginning the day after the appeal hearing. An employee has a right to attend any hearing regarding her/his employment.

8.0 OTHER POLICIES

8.1 EMAIL AND INTERNET POLICY

Electronic mail, Internet and telecommunication accesses are resources made available to MCCA employees to communicate with each other, other governmental entities, companies and individuals for the benefit of the MCCA.

The MCCA Electronic Mail System (email) is designed to facilitate MCCA business communication among employees and other business associates for messages or memoranda. Since no computer system is completely secure, the email system is not intended to transmit sensitive materials, which may be more appropriately communicated by written memorandum or personal conversation.

The email system is MCCA property and intended for MCCA business. The system is not to be used for employee personal gain or to support or advocate for non MCCA-related business or purposes. All data and other electronic messages within this system are the property of MCCA. Email messages have been found to be public records and may be subject to the right-to-know laws, depending on their content.

In addition, the MCCA, through its board of Board of Directors and its department managers, reserves the right to review the contents of employee's email communications when necessary for MCCA business

purposes. Employees may not intentionally intercept, eavesdrop, record, read, alter, or receive other persons' email messages, without proper authorization from the MCCA Executive Director.

MCCA purchases, owns and administers the necessary software and licenses to provide access to email and Internet services. Employees may not rent, copy or loan the software, or its documentation. The MCCA has invested much time and money to secure its electronic systems from intrusion and harmful viruses. Therefore, employees may not provide alternative software to access the system. Employees may be held responsible for any damages caused by using unauthorized software or viruses they introduce in the MCCA system. Department managers are responsible for the implementation and adherence of this policy within their departments.

Procedures related to this Policy include the following:

General Information on Passwords

While confidential passwords may be utilized, users should be aware that this does not mean that the system is for personal confidential communication, nor does it suggest that email is the property right of the employee. The use of the email system is for MCCA business. Passwords should be periodically changed to ensure security of the email system. Users should not share their passwords with anyone else, other than as his or her supervisors may require.

Internet

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

Prohibited Uses

When sending email messages, appropriateness and good judgment shall be used. The following are examples of email uses that are prohibited:

- ☒ Communications that in any way may be construed by others as disruptive, offensive, abusive, or threatening;
- ☒ Communications of sexually explicit images or messages;
- ☒ Communications that contain ethnic slurs, racial epithets, or anything that may be construed as harassment or disparagement of others based on race, national origin, sex, age, disability or religious beliefs;
- ☒ Solicitation for commercial ventures, religious or political causes, outside organizations, or other non-job-related solicitations; and
- ☒ Any other use that may compromise the integrity of the MCCA and its business in any way.

Retention of Email

Generally, email messages are intended to be temporary communications that are non-vital and may be discarded routinely. However, depending on the content of the email message, it may be considered a more formal record and should be retained pursuant to a department's record retention schedules. As such, these email messages are similar to printed communication and should be written with the same care. Each department manager is responsible for establishing and maintaining department retention schedules for the information communicated through the email system.

However, employees should be aware that when they have deleted a message from their workstation mailbox it might not have been deleted from the central email system. The message may be residing in the recipient's mailbox or forwarded to other recipients. Furthermore, the message may be stored on the computer's back-up system for an indefinite period. Note that email has been classified as "public" documents, i.e. available to the media in at least one state. Keep that in mind when you create or store email.

Employees should delete email messages as soon as possible after reading. An accumulation of files will degrade system performance and response times. All messages shall be deleted after 60 days unless archived by the user.

Applicability to Employees, Part-Time Employees, Contractors, and Other Users

This email and Internet policy applies to all employees, contractors, part-time employees, volunteers, and other individuals who are provided access to MCCA's email system. Third parties should only be provided access to the email system as necessary for their business purpose with the MCCA and only if they abide by all applicable rules.

Employee Termination, Leave of Absence, Vacation, and Other

Employees who leave employment with the MCCA have no right to the contents of their email messages and are not allowed access to the email system. Supervisors or management may access an employee's email if employees are on leave of absence, vacation, or are transferred from one department to another department and it is necessary for MCCA's business purposes.

Penalties

The misuse of the Internet or email privileges may be considered sufficient cause for discipline in accordance with MCCA's Personnel Policies and/or other applicable rules or laws. In addition, violations of this policy or misuse of the email system may be referred for criminal prosecution.

Summary

1. Use of the email and/or the Internet is for the furthering of the business of this MCCA;
2. No one may intentionally intercept, eavesdrop, record, read, alter, or receive other persons' email messages without property authorization;
3. No one may use the email system for solicitation of funds, political messages, or harassing messages;
4. All email messages and data are the property of MCCA and may be accessed for review by supervisors; and
5. All email will be retained according to the attached Retention of email policy.

Acceptance

By signing the Acknowledgement page of this Handbook, employees signify that they have read and accept the terms of this Policy.

8.2 ACCEPTABLE USE POLICY

In order to provide an environment that promotes the confidentiality, integrity, and availability of the electronic information on which the MCCA relies to conduct business, this policy is established to:

- Manage the use of computer systems;
- Decrease liability exposure due to harmful actions by an employee;
- Promote a secure workplace for all employees;
- Prevent unlawful or wrongful actions against employees or citizens either directly or indirectly

through electronic means.

All computer equipment, files, data, and communications methods provided by MCCA are to be used for business purposes only.

MCCA owns any and all information that is produced on or using MCCA-owned equipment or that is transmitted across MCCA-owned network equipment. The MCCA reserves the right to enter, search, disclose, and monitor computer files, email, or voicemail of an employee with or without prior notice, in a manner consistent with Federal Law. This includes, but is not limited to, investigating theft, disclosure of confidential information, personal abuse of the system, conflict of interest, or monitoring workflow or productivity. This right is granted to the MCCA Administrative Offices, and employees may not access the messages or files of other employees.

Employees should have no expectation of privacy of any content on MCCA's network. Password protection, and the terms "personal" computer, and "My Documents" should not lead the employee to believe that the contents of these containers, active or deleted, are private.

Employees have the duty to ensure that use of the Internet is for business purposes only, and that information sent from the MCCA is not offensive or illegal and complies with other existing policies.

8.3 SOCIAL MEDIA POLICY

Social media is any form of online publication or presence that allows multi-directional conversations in or around content on the Internet. Some types of social media include forums, message boards, blogs, tweets, wikis and podcasts, and some social media applications include Google, Facebook, LinkedIn, Twitter and YouTube. Management understands that social media are pervasive in today's world and that employees may be using social media sites in relation to both work and leisure. Management also recognizes that employees may enhance our business through the appropriate use of social media. However, employees are bound by the following guidelines when using social media.

Guidelines:

- Employees should conduct themselves on social media sites in a manner that does not reflect adversely on MCCA's image or reputation.
- Employees are prohibited from referencing employment with the MCCA on pages or profiles in any manner inconsistent with MCCA's mission, desired image, reputation, or goodwill.
- All relevant workplace rules and regulations apply to the use of social media.
- Dissemination of confidential or proprietary MCCA information on social media sites is strictly prohibited. Included in proprietary information is MCCA's logo or trademark.
- Employees are not authorized to speak on behalf of the MCCA.
- Social media sites are not to be used at work, on MCCA time, or using MCCA equipment unless the employee has been authorized to do so to further MCCA's interests.
- Employees are legally responsible for anything written or posted on social media sites.
- The MCCA may discipline employees for posting, writing, or otherwise participating in any content that is discriminatory, harassing, and pornographic, that divulges proprietary information, or that creates a hostile work environment.

Employees should direct any questions regarding compliance with this Social Media Policy to the MCCA Executive Director or Human Resources Representative.

8.4 TELECOMMUTING POLICY

Telecommuting may be available on a voluntary basis but is not appropriate for all employees. No employee is entitled to, or guaranteed the opportunity to, telecommute. Offering the opportunity to work at home is a Management option, based on the discretion of the employee's immediate supervisor/department manager. An employee's participation is strictly voluntary. All telecommuting agreements must meet the criteria in this policy and may be terminated at any time by either the employee or the immediate supervisor (although it is recommended that two weeks' notice be given if possible).

An employee wishing to request a telecommuting arrangement shall submit a written request to his or her immediate supervisor. A telecommuting arrangement must be mutually agreed upon by the employee, the employee's immediate supervisor, department manager, and the MCCA Executive Director. Any changes to the written arrangement must also be documented in writing and approved by the employee's immediate supervisor and the MCCA Executive Director. Department managers should consult with the MCCA Administrative Office in advance if an employee requires remote access or technology support in order to telecommute.

The duties, obligations and responsibilities of an employee who telecommutes are the same as employees at the centrally-located work site. Hours worked are hours paid. Any hours beyond an employee's normal work schedule must be authorized in advance by the employee's supervisor. Salaried employees must indicate the hours they will be able to be reached by staff and customers. Hourly employees must indicate the hours the employee will be on work status.

An employee who telecommutes is expected to be working at home during the telecommuting work schedule. Personal leave time normally scheduled during a telecommuting employee's scheduled workday must be arranged in the same manner with the immediate supervisor as employees at the centrally-located work site. Employees shall not conduct any unauthorized external (non-MCCA) work during their telecommuting work schedule.

The employee shall participate in any MCCA-sponsored telecommuting and/or technology training as requested by the employee's supervisor. The employee shall participate in any MCCA evaluation of telecommuting.

Remote access to MCCA's network may be provided to the employee at the discretion of the MCCA Administrative Office. Remote access shall only take place on equipment owned and maintained by the MCCA. The MCCA will not purchase or reimburse employees for the cost of an Internet service provider or Internet use. Employees should take special care in protecting the confidentiality and integrity of any MCCA-owned assets in their care. All materials and equipment shall be in a secured (i.e. locked) location when not in the employee's immediate possession.

The employee will maintain the confidentiality of MCCA information and documents, prevent unauthorized access to any MCCA system or information, and dispose of work related documents in a manner that will not jeopardize the interests of the MCCA.

8.5 CREDIT CARD POLICY

The Executive Director is the only person who can authorize the issuance of a new credit card. All requests shall be submitted from department manager to the Executive Director in writing.

The use of a MCCA credit card is subject to the following restrictions:

- No cash advances

- No personal or private expenditures
- No regular operating expenses (e.g., monthly telephone charges, office supplies, etc.)
- No charges from active vendors or vendors that will invoice MCCA
- No late fees or interest payments shall be reimbursed; these are the personal responsibility of the card holder if the charges are due to the employee's late submission of the necessary invoice/receipt, and must be paid within sixty (60) days.
- If there are three (3) instances of interest and/or late fees in any twenty-four (24) month period as a result of the employee's late submission of the necessary invoice/receipt, the card will be cancelled.

A detailed receipt must accompany each expense charge; summary invoices that only list a total and don't provide detail will not be accepted. In some cases an explanation of the charge might be required. For example, if the expense is for meals or food, note on the receipt if it was for a luncheon meeting and how many by name were included on the bill. Clear documentation and receipts shall be submitted immediately after the transaction has been made to department manager or his/her designee for payment processing. One receipt shall be provided for each charge on the card. All statements shall be reviewed and reconciled prior to forwarding to the Administrative Office monthly. Expenses without proper documentation shall be the responsibility of the employee.

Violations of MCCA's Credit Card Policy may result in disciplinary action, up to and including termination of employment and/or prosecution.

8.6 DOCUMENT RETENTION/DESTRUCTION POLICY

It is the policy of MCCA to maintain records in an economically secure fashion, to retain them as required by the applicable laws and to destroy such records as appropriate. This program has been designed based on MCCA's understanding of common practices among tax-exempt organizations as well the applicable laws. This policy shall apply to all forms of documents, whether written or electronic.

Definitions

Documents – For purposes of this program, documents shall be defined as contracts, agreements, correspondence, emails, accounting records, financial statements, bank statements, personnel records and any other item that records or supports a decision or transaction that has a financial, legal or business impact on MCCA or its subsidiaries.

Litigation – In the event of a pending investigation or litigation, the MCCA management team shall designate an individual to coordinate the record gathering. That individual shall notify the MCCA staff of the pending investigation or litigation and shall advise the staff that all documents directly or indirectly related to the subject matter shall be exempt from the document retention policies herein contained until they are advised otherwise. The exemption shall also apply to any personal electronic documents or correspondence if they are sent, received, created or stored on MCCA's network, hardware or software.

Document Storage

Contracts – Current contracts shall be scanned and stored on the MCCA network so that they are easily accessible to all parties that may require access in order to carry out their MCCA business function. The IT department shall designate a section of the network for contract storage and establish the appropriate access controls in order to prevent unnecessary access or document destruction. The original document shall be maintained in a locked drawer or file cabinet within the originating department while the contract is in force. Expired contracts shall be sent to the MCCA official offsite storage facility and retained until the destruction date in accordance with the document destruction guidelines contained in this program.

Payable Documents – Vendor invoices, expense reports and correspondence shall be maintained in locked filing cabinets within the office for two years. The files are categorized by vendor name and separated by fiscal year.

Personnel Documents – Employee reviews, correspondence pertaining to job performance, salary changes or disciplinary actions will be maintained in employee folders kept in locked file cabinets within the human resources (HR) office. Only HR personnel or accounting staff with payroll responsibilities shall have access. These documents shall be maintained in accordance with the document destruction guidelines contained in the program.

Payroll records – Time sheets, payroll registers, withholding forms and correspondence pertaining to payroll processing shall be maintained by pay period in the payroll clerk's office. Only HR and Finance personnel with payroll processing or review responsibilities shall have access. The records shall be retained in accordance with the document destruction guidelines contained in the program.

Records Retention Schedule (Document Destruction Guidelines)

Documents shall be stored as noted previously in this policy and shall be retained in accordance with the following schedule. Once documents have been retained beyond the period noted in this schedule they shall be destroyed in manner (shredding, burning, etc.) that assures confidential information is no longer available. When a third party destroys the documents MCCA shall obtain documentation that includes the inventory of documents destroyed and the manner in which they were destroyed.

Corporate Records

Article of Incorporation to Apply for Corporate Status	Permanent
IRS Form 1023 to File for Tax-exempt and/or Charitable Status	Permanent
Letter of Determination Granting Tax-exempt and/or Charitable Status	Permanent
Bylaws	Permanent
Board Policies	Permanent
Resolutions	Permanent
Board Meeting Minutes	Permanent
Sales Tax Exemption Documents	Permanent
Tax or Employee Identification Number Designation	Permanent
Annual Corporate Filings	Permanent
Annual Reports	Permanent
Correspondence (Legal)	Permanent
Licenses held by MCCA	10 years to Permanent
Affiliate Agreements	7 years
Conference Registration Forms	4 years
Correspondence (General)	3 years
Correspondence (Routine)	2 years

Financial Records

Chart of Accounts	Permanent
Fiscal Policies & Procedures	Permanent
Audits	Permanent
Financial Statements	Permanent
General Ledger/Journals	Permanent
Check Registers/Books	7 years
Business Expenses Documents	7 years
Bank Deposit Slips	7 years
Bank Statements/Reconciliations	7 years
Cancelled Checks	7 years
Invoices	7 years
Investment Records (Deposits, Earnings, Withdrawals)	7 years
Property/Asset Inventories	7 years
Notes Receivable Ledgers & Schedules	7 years
Sales Records	7 years
Subsidiary Ledgers	7 years
Purchase Orders	7 years
Journal Entries	5 years
Accounts Payable Ledgers & Schedules	5 years
Accounts Receivable Ledgers & Schedules	5 years
Petty Cash Receipts/Documents	3 years
Credit Card Receipts	3 years

Tax Records

Annual Tax Filing for the Organization (IRS Form 990 in the USA)	Permanent
Payroll Registers	Permanent
Depreciation Schedules	Permanent
Filings of Fees Paid to Professionals (IRS Form 1099 in the USA)	7 years
Payroll Tax Withholdings	7 years
Earnings Records	7 years
Payroll Tax Returns	7 years
W-2 Statements	7 years

Personnel Records

Employee Offer Letters	Permanent
Confirmation of Employment Letters	Permanent
Benefits Descriptions per Employee	Permanent
Pension Records	Permanent
Employee Applications and Resumes	7 years after termination
Promotions, Demotions, Letter of Reprimand, Termination	7 years after termination
Job Descriptions, Performance Goals	7 years after termination
Accident Reports/Claims (Settled Cases)	10 years
Disability Records	7 years
Personnel Policies	7 years
Workers' Compensation Records	5 years
Salary Ranges per Job Description	5 years
I-9 Forms	5 years after termination
Disclosure Forms (Conflict of Interest, etc.)	4 years
Time Reports	3 years after termination

Insurance Records

Property Insurance Policy	Permanent
Directors & Officers Insurance Policy	Permanent
Workers' Compensation Insurance Policy	Permanent
General Liability Insurance Policy	Permanent
Insurance Claims Applications	Permanent
Insurance Disbursements / Denials	Permanent
Physical Inventory Tags	3 years

Contracts

All Insurance Contracts	Permanent
Employee Contracts	Permanent
Construction Contracts	Permanent
Legal Correspondence	Permanent
Loan/Mortgage Contracts	Permanent
Leases/Deeds	Permanent
Vendor Contracts	7 years
Warranties	7 years
Government & Grant Contracts	3 years from final submission date

Donations/Funder Records

Grant Dispersal Contract	Permanent
Donor Lists	7 years
Grant Applications	7 years
Donor Acknowledgements	7 years

Management Plans and Procedures

Strategic Plans	7 years
Staffing, Programs, Marketing, Finance, Fundraising & Evaluation Plans	7 years
Vendor Contacts	7 years
Disaster Recovery Plan	7 years

8.7 CONFLICT OF INTEREST POLICY

A conflict of interest may occur when there is an actual or perceived benefit to an individual as a result of his or her actions or decisions. A conflict also occurs when an employee is in a position to influence a decision that may result in personal gain for that employee, relative, or acquaintance as a result of MCCA's business. 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.

The following list some conflicts of interest:

- Having an ownership interest in a vendor's business with which MCCA conducts business.
- Making use of confidential information that benefits an individual employee or relative.
- Receiving product bonuses, gifts, special fringe benefits, unusual price breaks, remuneration, and other windfalls designed to ultimately benefit the employee.
- Promotional plans that could be interpreted to involve unusual gain require specific executive-level approval.

Conflict of interest does not necessarily preclude MCCA or an employee from doing business with a related party. However, if an employee has any influence on transactions involving purchases, contracts, or leases with a related party, it is imperative that he or she disclose to the Executive Director, as soon as possible, the existence of any actual or potential conflict of interest so that safeguards can be established to protect all parties. An employee who would be affected should not participate in any decision about transactions involving personal interests.

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

The materials, products, designs, plans, ideas, and data of MCCA are the property of the organization and should never be given to an outside firm or individual except through normal channels and with appropriate authorization. Any improper transfer of material or disclosure of information, even though it is not apparent that an employee has personally gained by such action, constitutes unacceptable conduct. Any employee who participates in such a practice will be subject to disciplinary action, up to and including possible termination of employment or legal action.

Disclosure: All apparent conflicts of interest must be disclosed to the Executive Director for review and determination of whether a violation of this statement exists.

Complaints or Inquiries: All complaints or inquiries concerning possible violation of this Conflict of Interest Policy should immediately be reported to the Executive Director for review and a determination as to whether a violation of this Policy exists. Any determination by the Executive Director that a conflict exists may be forwarded to legal counsel.

Fraud: This policy also applies to fraud, or suspected fraud, involving employees, as well as outside consultants, contractors, and vendors who have business relationship with MCCA.

Through all levels of management, MCCA is responsible for the prevention and detection of fraud, misappropriation of funds, or any other deemed inappropriate conduct. Any case of fraud detected or suspected should be reported immediately to the Executive Director, who will initiate an investigation into the matter with law enforcement agencies as deemed necessary. Any individual found to have engaged in fraudulent activity will be subject to disciplinary action, which may include dismissal and/or prosecution by the appropriate authorities.

Definition: Fraud is herein defined as the use of dishonesty, deception, or false representation in order to gain a material advantage or to injure the interest of others. Examples include:

1. Forgery or alteration of any document or account belonging to MCCA.
2. Forgery or alteration of a check, bank draft, or any other financial document.
3. Misappropriation of funds, supplies, or other assets.
4. Impropriety in the handling or reporting of money or financial transactions resulting in the personal gain of any individual.
5. Disclosing confidential information to outside parties resulting in the personal gain of any individual.
6. Accepting or seeking material value from vendors, contractors, or other persons providing services/materials to MCCA.
7. Destruction, removal or inappropriate use of records, furniture, fixtures, and equipment resulting in the personal gain of any individual.
8. Authorizing or receiving compensation for hours not worked.

MCCA PERSONNEL POLICY HANDBOOK

*** * * Employee Acknowledgement and Agreement * * ***

I acknowledge that I have received a copy of the Maine County Commissioners Association (MCCA) Employee Handbook. I understand that this handbook replaces any and all prior verbal and written communications regarding MCCA working conditions, policies, procedures, appeal processes, and benefits.

I have read and understand the contents of this handbook and will act in accord with these policies and procedures as a condition of my employment with MCCA.

I have read and understand MCCA's **Code of Conduct, Code of Ethics, Conflict of Interest** and **Whistleblower policies**, and I agree to act in accord with each as a condition of my employment.

I understand that if I have questions or concerns at any time about the handbook or any of its content, I will consult the Executive Director for clarification.

I also acknowledge that the handbook contains an **employment-at-will** provision that states:

- Either MCCA or I can terminate my employment relationship at any time, with or without cause, and with or without notice;
- That this employment-at-will relationship is in effect regardless of any other written statements or policies contained in this handbook, in any other MCCA documents, or in any verbal statements to the contrary; and

Finally, I understand that the contents of this employee handbook are simply policies and guidelines, not a contract or implied contract with employees. The contents of the employee handbook may change at any time.

Please read this Handbook carefully to understand these conditions of employment before you sign this document.

EMPLOYEE'S NAME (printed)

EMPLOYEE'S SIGNATURE

DATE

Please sign and date one copy of this notice and give it to your supervisor or department manager by the time specified. You may wish to retain a copy for your reference.