

Town Of Portland, Connecticut

Affirmative Action/Equal Opportunity Provider and Employer

Personnel Manual



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TABLE OF CONTENTS

	<u>PAGE</u>
Table of Contents	1
Preface	2
Definitions	2
<u>ARTICLE</u>	
1.0 APPOINTMENTS.....	4
2.0 EMPLOYMENT	
§ 2.1 Recruitment.....	4
§ 2.2 Nepotism.....	5
§ 2.3 Disqualification	5
§ 2.4 Employee Training.....	5
3.0 PROMOTIONS.....	5
4.0 TRANSFERS	6
5.0 REHIRES	6
6.0 RESIGNATION	6
7.0 APPEALS PROCEDURE.....	6
8.0 DISCIPLINARY ACTION.....	7
9.0 CONDUCT OF EMPLOYEES	
§ 9.1 Employee Volunteers.....	9
§ 9.2 Evaluations.....	10
§ 9.3 Outside Employment.....	10
§ 9.4 Wages and Salaries	10
§ 9.5 Working Hours	11
§ 9.6 Longevity	11
10.0 FRINGE BENEFITS	11
11.0 FRINGE BENEFITS – TIME OFF	
§11.1 Holiday Schedule	12
§11.2 Family and Medical Leave Act – Unpaid.....	12
§11.3 Funeral Leave.....	12
§11.4 Injury Leave.....	13
§11.5 Jury Duty	13
§11.6 Leave of Absence – Without Pay and Fringe Benefits	13
§11.7 Military Leave	13
§11.8 Personal Leave.....	13
§11.9 Sick Leave	14
§11.10 Vacation Leave.....	15

(A separate employee handbook has been created containing Town Policies for all Personnel to reference)

P R E F A C E

The Personnel Rules of the "Town of Portland" are established in order to carry out the intent and purpose of Chapter XIII, Section 1303 of the "Portland Town Charter," to provide for a more efficient and responsive municipal operation, and to build a framework for proper personnel administration.

The Town recognizes that the effective application of these Personnel Rules is necessary to accomplish a positive, continuing and affirmative equal opportunity program for all employees and applicants for employment. In administering these rules, the First Selectman exercises personal leadership in maintaining and carrying out the Town's affirmative action efforts.

Provisions of these Personnel Rules shall apply to all employees of the Town except as provided under CHAPTER XIII, Section 1301 of the "Portland Town Charter".

DEFINITIONS

In order to provide uniform references to terms used in these rules, the following standard definitions are used:

APPOINTING AUTHORITY - The First Selectman is the appointing authority for all classified positions, or except as otherwise provided by the Town Charter.

BOARD - The Board of Selectman of the Town of Portland.

CHARTER - The Charter of the "Town of Portland" as effective November 2, 1982, and as revised.

DATE OF HIRE - The effective date of appointment of a person from outside the Town service to a specific position. This is not necessarily the effective date for commencement of any fringe benefits.

DEMOTION - The change of an employee from a position in one class to a position in a class for which a lower maximum rate of pay is established.

ELIGIBLE CANDIDATE - A person who has met the minimum requirements established for a position and whose name has been placed on an eligibility list.

EMPLOYEE TRAINEE - An employee engaged in their training period of service. The training period applies to new hires as well as when existing Town employees are successful in competing for positions within the Municipal Government.

EXEMPT EMPLOYEES - Employees exempt from overtime pay under the Fair Labor Standards Act (FLSA).

FRINGE BENEFITS - Benefits that qualifying employees may elect to receive such as medical insurance, hospitalization coverage, dental coverage, for which the Town pays all or any part of the cost of such coverage. Additional fringe benefits shall include but not be limited to vacation leave, sick leave, holidays and other paid leaves defined in the Personnel Rules.

NON-EXEMPT EMPLOYEES - Employees who are not exempt from overtime pay under the Fair Labor Standards Act.

NORMAL RETIREMENT DATE - For Employees, other than certified police officers, the Normal Retirement Date shall be the date on which the employee reaches age 65.

PART-TIME EMPLOYEE - Employee working less than thirty (30) hours per week on a year-round basis; or employees working one to forty (40) hours per week for a period not to exceed thirteen (13) weeks or less per year (i.e. seasonal labor). Part-time employees are not eligible to receive fringe benefits.

PROMOTION - An advancement in the position of an employee from one class to a position in another class having a higher maximum salary rate.

PROVISIONAL APPOINTMENT - A non-competitive appointment made temporarily to fill a classified position, pending establishment of an eligible list for such position.

RANGE - The minimum and maximums of any pay grade.

REGULAR FULL-TIME EMPLOYEES - Employees working thirty-five (35) to forty (40) hours per week on a year-round basis.

REGULAR PART-TIME EMPLOYEES - Employees regularly working thirty (30) or more hours per week on a year-round basis. These employees are eligible to receive fringe benefits.

SALARIES - The First Selectman shall prepare a pay plan as per CHAPTER XIII, Section 1304 of the Town Charter.

TEMPORARY EMPLOYEE - An appointment to an approved position for a period not to exceed one-year. Temporary employees are not eligible to receive fringe benefits.

TRAINING PERIOD - A working test period, following an appointment, during which an employee is required to demonstrate by conduct and actual performance their fitness to the position to which they were appointed. Unsatisfactory service during the training period shall constitute grounds for involuntary termination from which there shall be no appeal to the Board of Selectmen.

TRANSFER - A change of an employee from a position in one department to another department by means of either demotion or promotion.

VACANCY - An unfilled approved position in the classification plan.

SECTION 1.0 – APPOINTMENTS

- a) After selection of the top qualified candidates, upon completion of an interview phase, all applicable candidates shall be named to an eligibility list.
- b) If the eligibility list contains less than five (5) names, at the discretion of the First Selectman, an appointment may be made from the qualified candidates or the position may be re-advertised.
- c) Eligibility lists shall remain in effect for a minimum period of three (3) months and not to exceed a period of six (6) months.
- d) The selection process shall include checking references including previous employers.
- e) When an appointing authority desires to fill a position by promotion, transfer or demotion, such action shall take precedence over appointment from eligibility lists.

SECTION 2.0 - EMPLOYMENT

The First Selectman shall make known all vacancies for all positions by posting announcements that shall specify the title and wage/salary of the position, the nature of the work to be performed, the desired qualifications of prospective applicants, and other information as required.

§ 2.1 – RECRUITMENT: In the case of job openings, it is the Town’s desire and intent to fill the open position with the best possible candidate, giving special consideration to any present employees who express an interest in and are qualified for the position. Announcements of job openings shall be posted in each of the departments so as interested existing Town employees may apply.

In cases of open competition, applications will be solicited from Town employees and from as large a geographic area as deemed necessary to insure sufficient selection of the best possible candidates. In addition, the First Selectman, or designated representative, shall undertake such positive and active recruitment measures as appropriate. Furthermore, notice for posting shall be sent to the Connecticut Department of Labor.

No applicant or current employee of the Town of Portland shall be favored or discriminated against in any way because of race, national origin, sex, age, disability, religious or political affiliation.

The recruitment process shall remain open until the probationary period has been completed. If the successful candidate for some reason does not complete the probationary period, the second choice candidate and/or other applicants may be considered for the position being filled.

§ 2.2 – NEPOTISM: It is the policy of the Town not to employ persons who are related to members of boards or commissions, elected officials, or other Town employees unless through the normal recruitment and/or examination process.

§ 2.3 – DISQUALIFICATION: The First Selectman, or the designated representative, may reject any application which was postmarked later than the announced closing date or not filed by the end of business day of the announced closing date for receiving applications, unless prior to such date an extension had been publicly announced by the Town.

Any application may be rejected when: the application does not reflect the minimum qualifications for the position; the applicant is found to be unfit for the performance of the duties of the position to which he/she seeks appointment; or the applicant practices any deception or fraud in their application.

§ 2.4 – EMPLOYEE TRAINING

a) All appointments shall be made for a minimum training or working test period of six (6) months after passing a pre-employment drug testing, and background check, if applicable.

b) Any lost time during the Training Period will automatically extend the training period by the number of lost day/hours. The training period may be extended at the sole discretion of the Town. The training period shall be regarded as an integral part of the employment process and be utilized for closely observing the employee's work, for securing effective adjustment of a new employee to their position, and for rejecting any employee whose performance does not meet required work standards.

b) One (1) month prior to the end of the training period, the department head shall submit a report to the First Selectman evaluating the work of the trainee and shall recommend whether or not the employee should receive regular appointment.

c) The First Selectman shall, by letter, notify employees of their permanent appointment or their failure to successfully complete the training period. An employee who has not successfully completed the training period shall not have access to the appeals procedure outlined below.

d) A new employee will start to accrue sick, vacation and Personal leave upon hire, and shall be eligible to use such time after the completion of three (3) months of employment.

SECTION 3.0 - PROMOTIONS

a) An employee who is promoted as a result of a successful promotional competition, shall complete successfully a six (6) month training period. However, at the end of three (3) months, the department head and/or director may request that the First Selectman waive the remainder of the training period and certify the employee for regular status.

b) In the case of promotion during a training period, before attaining the status of a regular employee, the employee shall complete an additional six (6) month training period beginning immediately upon promotion. However, at the end of three (3) months, the department head and/or director may request the First Selectman waive the balance of the training period and certify the employee for permanent status.

c) In the event that an employee is on a training period on January 1st, the date the training period concludes the merit award shall be made retroactive to January 1st. Merit increases will not be granted to employees during their training period.

SECTION 4.0 – TRANSFERS

a) Employees undergoing a lateral transfer shall complete a six (6) month training period. However, at the end of three (3) months, the department head and/or director may request that the First Selectman waive the balance of the training period and certify the employee for permanent status.

b) In the event that an employee who transferred positions is on a training period on January 1st, any merit award shall be made retroactive to January 1st. Merit increases will not be granted to employees during their training period.

SECTION 5.0 – REHIRES

Any employee who voluntarily leaves his/her position with the Town of Portland and at a later date wishes to return to employment shall have to follow the same recruitment procedure as all other candidates seeking employment with the Town.

Any former employee who is rehired will come in as a new employee and all benefits and longevity will be determined from the new date of hire.

SECTION 6.0 – RESIGNATION

To resign in good standing, an employee shall give the appointing authority at least ten (10) working days prior notice unless the appointing authority, because of extenuating circumstances, agrees to permit a shorter period of notice.

At the time of separation and prior to final payment, all records, assets, or other items of the Town property in the employee's custody shall be relinquished to the department head. Any amount due because of shortage in the above shall be withheld from the employee's final compensation or collected through other appropriate action.

SECTION 7.0 – APPEALS PROCEDURE

Step 1. Any employee who believes that he/she has not been treated fairly by the application of these Personnel Rules shall verbally discuss the problem with his/her immediate supervisor.

- Step 2.** If the problem is not resolved within five (5) workdays, the employee may submit to the department head a statement defining the problem and the desired resolution. The department head will provide the employee a written answer within seven (7) workdays.
- Step 3.** If the problem remains unresolved, then the employee shall submit within five (5) work days, the written statement along with the department head's response to the First Selectman and request a hearing. The First Selectman shall hold an informal hearing within ten (10) working days.
- Step 4.** The hearing will be of an informal nature between the employee and any other persons the First Selectman requests to be present. The First Selectman shall render a written decision within five (5) working days after the hearing. The Board of Selectmen shall not become involved in the resolution of the problem.
- Step 5.** Any employee who is suspended, demoted, or dismissed, except during his/her probationary period, may appeal the First Selectman's decision in writing to the Board of Selectmen within five (5) working days. The Board of Selectman shall hold a hearing in Executive Session within ten (10) working days. The Board of Selectman shall render a written decision within five (5) working days.

SECTION 8.0 – DISCIPLINARY ACTION

§ 8.1 - Whenever an employee's performance, attitude, work habits or personal conduct at any time falls below a desirable level, and is within the employee's control, their supervisor shall verbally warn employee of such lapses and give counsel and assistance. If appropriate and justified, a reasonable period of time for improvement may be allowed before initiating a disciplinary action. In some instances, as determined in the sole discretion of the First Selectman, a specific incident may justify immediate and/or severe disciplinary action in and of itself.

§ 8.2 - If a verbal warning has not resulted in expected improvements, or where more severe initial action is warranted, a written reprimand by the First Selectman may be sent to the employee and a copy placed in the employee's personnel file.

§ 8.3 - The First Selectman may suspend an employee, with or without pay, when in the judgment of the First Selectman an employee's work performance or conduct justifies disciplinary action short of dismissal. The period of suspension may not exceed thirty (30) working days. Within forty-eight (48) hours of such suspension, exclusive of Saturday, Sunday or holidays, the First Selectman shall submit to the employee in writing a copy of the charges or reasons for the suspension.

§ 8.4 - A department head may recommend to the First Selectman to demote or dismiss an employee when in their judgment an employee's work performance or conduct justifies such disciplinary action.

When an employee's work performance or conduct justifies disciplinary action, the First Selectman may suspend, demote, or dismiss said employee.

§ 8.5 - Sufficient cause for disciplinary action shall include, but not be limited to:

- a) Activities prohibited by the Town Charter or a Town Ordinance;
- b) Job Performance and Attendance:
 - 1. Failure to meet prescribed standards of work;
 - 2. Incompetence, inefficiency or negligence in the performance of duties including failure to follow regulations or policy;
 - 3. Insubordination that constitutes a serious breach discipline to include failure to obey a reasonable order by the Supervisor;
 - 4. Unwillingness to perform normal quality or quantity of work;
 - 5. Unauthorized absences or abuse of leave privileges; habitual tardiness;
 - 6. Failure to maintain a professional or occupational license, certificate, permit or driver's license if it is a requirement of the position
 - 7. The abuse of management by action or language;
- c) Behavior Towards Others:
 - 1. The use of abusive or profane language towards a superior or the public;
 - 2. Violating workplace policies, including but not limited to, workplace violence and sexual harassment policies
- d) Misuse of Resources:
 - 1. Falsification of records or use of official position for personal advantage;
 - 2. Theft or careless destruction of Town property;
 - 3. Accessing or communicating data not pertaining to official job duties without authorization;
- e) Fraud, Falsification, Dishonesty:
 - 1. Embezzlement or misappropriation of funds
 - 2. Stealing or misappropriation of property belonging to the Town, federal or state government, vendors, fellow employees or members of the public
 - 3. Soliciting or accepting a bribe
 - 4. Fraudulently obtaining paid leave, injury benefits or special leave;
- f) Possession and/or use of Alcohol and Drugs
 - 1. Failure to pass any drug and/or alcohol test mandated by federal or state law.
 - 2. Refusal to take any drug and or alcohol test mandated by Federal or State law.
 - 3. Failure to complete any mandatory rehabilitation program recommended in the evaluation of an employee by the designated, qualified treatment provider.
 - 4. Failure to notify supervisor after consuming any drug which would interfere with the safe and efficient performance of the employee's duties.

5. Unlawful possession of a controlled substance at the work site or on Town business.
 6. Driving on duty while under the influence of alcohol and/or controlled substance and/or drugs
 7. being under the influence of alcohol, controlled substances or illegal or prescribed drugs while on duty
- g) Other Acts of Misconduct:
1. Conviction of any criminal offense;
 2. Any intimidating behavior towards others including, but not limited to, verbal threats, stalking, bullying or fighting
 3. Recklessness on the job, misconduct, and attitudes which constitute an unwholesome influence on other employees;
 4. Immoral, unethical, notoriously disgraceful, or any other action of personal conduct affecting or impairing the efficiency of the Town service or that may bring the Town into disrepute;
 5. Performing remunerative services for others while working on Town time;

SECTION 9.0 – CONDUCT OF EMPLOYEES

§ 9.1 – EMPLOYEE VOLUNTEERS: While the Town wishes to support employees who are volunteer fire and emergency medical services members, it is imperative that the critical functions of Town departments do not suffer. The following guidelines are established for application in all departments, excluding police:

- a) Volunteer Emergency Medical Technician members are not to be called during normal working hours. They may respond to calls only in extreme cases or emergencies.
- b) When employees are on duty who are volunteer firefighters, and they are on duty performing routine work, they shall be permitted to respond to all fire alarms for which their fire company is summoned. Routine work is defined as work that can be delayed or left without danger to the public or adverse effects on Town operations.
- c) If an employee is performing non-routine work or operations where leaving may create idle time, they shall not respond to a fire alarm unless it is a house fire or if the dispatcher calls for additional help. If an employee is performing work which cannot be delayed or left without danger to the public or adverse effects on Town operations, they shall not respond to fire alarms.

§ 9.2 – EVALUATIONS: The First Selectman shall have the option of conducting evaluations or initiating self-evaluations on non-union employees.

§ 9.3 – OUTSIDE EMPLOYMENT: No employee may engage in additional employment which in any manner interferes with the proper and effective performance of the duties of their position, results in a conflict of interest, or if it is reasonable to

anticipate that such employment may subject the Town to public criticism or embarrassment. If such outside employment is disadvantageous to the Town, upon notification in writing by the First Selectman, it shall be terminated.

Any employee who engages in employment outside of the Town shall be subject to call to perform their regular Town duties first.

§ 9.4 – WAGES & SALARIES

The First Selectman shall prepare and submit to the Board of Selectman a pay plan as per CHAPTER XIII, Section 1304 of the Town Charter. The First Selectman shall review the plan periodically and shall recommend to the Board of Selectman necessary revisions so as to reflect changes in area economic conditions and to attract and retain qualified personnel.

- a)** The pay range minimum for a classification should be paid to any person upon appointment to a position, except where demonstrated inability to recruit at the minimum justifies appointment at the higher rate, or the person appointed has exceptional qualifications that merit a higher starting salary. Pay increases within an established range shall depend primarily upon recommendations of merit by the department head. Pay increases shall not be predicated upon the length of service. Increases shall be given only upon certification by a department head that the employee has maintained a consistently high level of performance throughout the preceding year.
- b)** No merit increase in pay shall be given to any employee unless the appointing authority, on the recommendation of the department head, certifies that the employee has satisfactorily carried out the responsibilities of his/her position during the preceding year.
- c)** Merit increments may be awarded on the first day of January for non-training employees. In the event an employee is on a training period on January 1st, the Trainee may receive a merit award effective the date they satisfactorily complete their probationary period, made retroactive to January 1st.
- d)** Employees may receive an established pay adjustment (COLA=Cost Of Living Adjustment) in their salaries July 1st of the applicable fiscal year.
- e)** All non-exempt employees shall be paid for the actual number of hours worked during each pay period.
- f)** When absent on earned and/or authorized leave time, an employee shall be paid at their regular rate. An employee absent without authorized leave shall not be compensated.
- g)** All non-exempt employees shall be entitled to receive overtime at a rate of one and one-half (1 ½) times the regular rate of pay for all hours worked over forty (40) in one week. Overtime worked on Sundays and Holidays shall be two times the regular rate of pay. Overtime must be approved prior to earning it.

- h) Fringe benefits are considered a part of the total compensation package offered by the Town to the employee. Fringe benefits shall be provided to regular full-time and regular part-time employees during the period of their employment. Part-time employees designated to work less than thirty hours on a regular basis shall not be provided with benefits.

§ 9.5 – WORKING HOURS

- a) The normal workweek for Regular Full-Time employees shall be thirty-five (35) to forty (40) hours per week.
- b) The normal workweek for regular part-time employees shall be thirty (30) hours or more, but less than thirty-five (35) hours per week.
- c) The normal workweek for a part-time employee shall be less than thirty (30) hours per week.
- d) Employees shall not be compensated for their lunch breaks, which shall be generalized at approximately one-half hour.

§ 9.6 – LONGEVITY. For employees hired before July 1, 2023, Regular full-time employees shall be entitled to longevity pay in accordance with the following schedule:

10th through 14th year of service:	\$500.00
15th through 19th year of service:	\$600.00
20th year and over:	\$700.00

Years of service shall be determined by the full-time anniversary date of employment. The employee shall receive longevity pay for the fiscal year. Payment shall be made in a lump sum the first pay week in July or January, whichever is first, following the anniversary date of employment or date eligible for benefits.

Employees hired on or after July 1, 2023 shall not be eligible for longevity payments.

SECTION 10.0 – FRINGE BENEFITS

Subject to the Town’s right to change insurance carriers and/or to self-insure such benefits, the Town shall offer health care benefits to Regular Full Time and Regular Part Time employees and their eligible dependents, as set forth in the benefit coverage statement.

Benefit coverage for new employees will commence on the first day of the month following appointment or as soon as coverage can be provided. An application for insured benefits will be completed on or prior to the date of hire.

Qualifying employees shall contribute to the cost of health care coverage elected on a percentage of premium or premium equivalent cost basis as set forth in the annual health care coverage statement.

SECTION 11.0 – FRINGE BENEFITS – TIME OFF

§ 11.1 – Holidays shall be observed in accordance with the holiday schedule issued each year.

For holidays falling on a Saturday when an employee is normally scheduled to work, the holiday schedule will not apply to that employee for that holiday. Rather, the holiday will be observed on that Saturday or, if the Town requires the employee to work on that holiday Saturday, the employee shall receive a floating holiday to be used within forty-five (45) days.

§ 11.2 – FAMILY AND MEDICAL LEAVE ACT

The Town shall allow employees leaves of absence as required by the Federal Family and Medical Leave Act of 1993.

Employees must first exhaust all paid leave benefits (i.e. vacation and sick leave) before becoming eligible to utilize unpaid leave. An employee may reserve a maximum of five (5) days vacation leave and five (5) days sick leave for future use. Such paid leave will be credited against the employee's eligible leave under the Family and Medical Leave Act of 1993.

§ 11.3 – FUNERAL LEAVE

- a) Leave, not to exceed four (4) consecutive working days, may be granted with pay upon approval of the First Selectman to employees upon the death of a member of their immediate family or spouse's immediate family defined as mother, father, sister, brother, son, daughter, spouse, grandparent, grandchild, or relative domiciled in the employee's household.
- b) Funeral leave, not to exceed one (1) day, may be granted with pay upon the approval of the department head upon the death of other relatives not in the employee's immediate family.

§ 11.4 – INJURY LEAVE

Injury leave shall be granted in accordance with the Connecticut Workers' Compensation Act.

Upon acceptance of a Workers' Compensation claim by the Town, the Town shall supplement any payments due an employee under Workers' Compensation Insurance so that the employee will receive full pay during their absence for a period not to exceed twelve (12) weeks.

In the event of any injury causing temporary disability and absences of less than three (3) days, the employee shall receive his/her regular salary for such periods since payments are not made under Workmen's Compensation for such accidents.

§ 11.5 – JURY LEAVE

An employee required to report for jury duty on a scheduled work day shall receive the difference in his/her pay, if any, from the employer, upon presentation of a voucher from the court.

§ 11.6 - LEAVE OF ABSENCE – WITHOUT PAY AND FRINGE BENEFITS

When the interests of the Town can be shown to be benefited, the First Selectman may grant a leave of absence of up to one (1) year without pay and suspension of fringe benefits to an employee. However, the Town will not be obligated to hold the employee's position open. The employee may apply for any open position at the end of the leave of absence.

An employee returning to Town service following a leave of absence is eligible to receive and continue accrual of fringe benefits from their original date of benefit eligibility except that they shall not be credited for such benefits for the tenure of their absence.

§ 11.7 – MILITARY LEAVE

For all regular full-time employees who are also members of the National Guard or Reserve components or any other military services of the United States, up to four (4) working weeks per year of Military leaves shall be granted when called upon by the State of Connecticut Governor or the President of the United States. During this leave, the employee shall be paid only that portion of their regular salary which will, together with the military pay, equal their total normal salary for the same pay period. Normal full payroll deductions and town contributions for insurance purposes shall be made by the Town to cover such periods.

§ 11.8 – PERSONAL LEAVE

Regular Full Time and Regular Part Time employees will be entitled to four (4) personal days each year, calculated on the calendar year. Unused personal leave days will not be carried from one calendar year to another. Personal leave may be used for in no less than one (1) hour increments.

To be eligible for personal leave, an employee must work the workday before and the workday after the said personal leave day. A reason or explanation for such personal leave will not be required, but employees must request approval of their department head.

New employees shall receive prorated Personal Leave days as follows:

- Hired after January 1 through April 30th 3 PL days
- Hired after May 1 through August 31st 2 PL days
- Hired after September 1 through December 31st 1 PL days

§ 11.9 – SICK LEAVE

- a) Sick leave shall be earned by all eligible employees (Regular Full-Time employees and Regular Part-Time employees). Sick leave shall be taken for minimum periods of no less than fifteen-minute increments.

Regular Full-Time employees hired before July 1, 2023 will earn Sick Leave at the rate of fifteen (15) days per calendar year, credited at one and one-quarter (1 ¼) days per month.

Regular Part-time Employees shall earn twelve (12) days per calendar year, credited at one (1) day per month.

Regular Full-Time Employees hired after July 1, 2023 shall earn twelve (12) days per calendar year, credited at one (1) day per month.

- b) Sick leave may be used for any sickness, illness or non-job-related accident. It is to be used only for health and medical reasons. The Town will compensate the employee fully when used for the following reasons:
- 1) When their presence at duty will expose others to contagious disease;
 - 2) If quarantined due to the contagious disease of another person or persons;
 - 3) Family and Medical Leave;
 - 4) When injury or illness that is non-job-related prevents the employee from being able to perform their duties.
- c) In order to be paid for such sick leave, an employee must notify his/her department head within one (1) hour of the time the employee is expected to report to work unless otherwise specified by department head.
- d) A department head may require proof of illness for authorized sick leave. In the judgment of the department head proof of illness may include a doctor's certificate or other proof of illness from the employee's physician indicating, in layman's terms, the nature and duration of the illness. Proof of illness will not normally be needed for absences of less than three (3) consecutive working days.
- e) Abuse of the sick leave privilege shall be considered as sufficient cause for disciplinary action.
- f) There will be no accrual of sick leave for any calendar month in which an employee is on leave of absence without-pay, either authorized or unauthorized, an aggregate of more than three (3) working days.
- g) To accrue sick leave, an employee must work a minimum of one (1) day in that calendar month. This provision may be waived with approval of the First Selectman. Sick leave shall continue to accumulate during approved leaves of absence with-pay and during authorized sick leave, injury leave, or vacation time.

- h) For all employees hired before July 1, 2023, each year on December 1st, employees shall have the option of accumulating unused sick leave up to forty-five (45) days but not to exceed sixty (60) days in total. The amount of accumulated unused sick days in excess of forty-five (45) days shall be paid in full to the employee, based on their current wages. The amount of accumulated unused sick days in excess of sixty (60) days shall be paid in full to the employee, based on their current wages.

For all employees hired after July 1, 2023, any unused sick leave earned on or before December 1st that exceeds thirty (30) days will be paid in full, based on their current wages.

Payment shall be in December of the current year and shall not exceed more than one year's worth of accrued sick leave.

- i) Upon termination of employment, provided such termination is not for cause, an employee shall receive severance pay equal to one-hundred percent (100%) of accumulated sick leave up to forty-five (45) days after the completion of two (2) years employment.
- j) Specific part-time employees shall be eligible for Sick leave benefits in accordance with the State of Connecticut Public Act 11-52. Sick leave will be accrued at a rate of one (1) hour for each forty (40) hours worked. Employees who do not use their entire allotment of paid sick leave in one calendar year may carry over up to 40 accrued hours to the next calendar year but may not use more than 40 hours in each calendar year. Upon termination of employment, accrued sick leave benefits will not be paid out. Sick leave benefits cannot be used unless the employee has completed 680 hours of employment. After the 680 hours requirement is met, it can be use only if the employee has averaged 10 or more hours worked per week in the previous calendar quarter. Sick leave may be taken for minimum periods of no less than one-hour increments. Consult PA 11-52 for further details on approved uses of this leave.

§ 11.10 – VACATION

- a) Vacation may not be taken until after six (6) months of continuous service and probation has been completed.
- b) Regular Full-time employees, who have completed six (6) months of continuous employment, shall be eligible for paid vacation leave in accordance with the following schedule:

<u>Years of Continuous Service</u>	<u>Rate Accumulated</u>
Date of hire, but less than five (5) years employment	.833 days per month two (2) weeks per year
Five (5) years but less than ten (10) years	1.25 days per month three (3) weeks per year

Ten (10) years but less than twenty (20) years	1.66 days per month four (4) weeks per year
Twenty (20) years but less than twenty-one (21) years	1.75 days per month four (4) weeks plus one (1) day
Twenty-one (21) years but less than twenty-two (22) years	1.83 days per month four (4) weeks plus two (2) days
Twenty-two (22) years but less than twenty-three (23) years	1.92 days per month four (4) weeks plus three (3) days
Twenty-three (23) years but less than twenty-four (24) years	2.00 days per month four (4) weeks plus four (4) days
24 years or more	2.08 days per month five (5) weeks

Regular Full-time employees hired before July 1, 2023 who have been in the employment of the Town for twenty-five years or more shall be entitled to one additional vacation day per year to a maximum of five (5) additional vacation days with full pay. Employees hired on or after July 1, 2023 shall not be eligible to earn more than five (5) weeks of vacation with full pay.

- c) Employees will accrue vacation on a monthly basis for the prior month's service and will only be allowed to take accrued vacation leave.
- d) Vacation leave may be taken for minimum periods of one-half (½) day.
- e) For regular part-time employees, who have completed six (6) months of continuous employment, vacation days shall be prorated according to the normal work day and shall follow the accrual schedule and rules outlined in Section 11.10(b) of this manual.
- f) Requests for vacation leave shall be submitted to the department head and/or the First Selectman for approval. Accordingly, department heads shall arrange a vacation schedule within their departments.
- g) NOTIFICATION: Vacation request for three (3) or more days must be submitted at least two (2) weeks in advance of the vacation period unless there are extenuating circumstances. All vacation requests for one (1) or two (2) days shall be submitted at least twenty-four (24) hours in advance of the vacation day unless there are extenuating circumstances. All vacation requests must be approved by the Department Head and First Selectman.
- h) For employees hired before July 1, 2023, Vacation day accumulation will be a maximum of forty-five (45) days and may be transferred from year to year and must be approved by the First Selectman. Vacation days accumulated over forty-five (45) days shall be paid to the employee at the end of the fiscal year.

For employees hired after July 1, 2023, Vacation day accumulation will be a maximum of thirty (30) days and may be transferred from year to year and must be approved by the First Selectman. Vacation days accumulated over thirty (30) days shall be paid to the employee at the end of the fiscal year.

- i) Whenever there shall be a conflict in requested vacation dates, preference shall be granted by seniority. Years of service will be based on employee date of hire. Full-time employees shall be given preference over part-time employees when conflicts in vacation requests occur.
- j) If an employee terminates his/her employment with the Town in good standing, after the completion of two (2) years employment, they shall be entitled payment for any unused accumulated vacation leave up to forty-five (45) days. Upon the death of an employee entitled to an unused vacation allowance, the allowance shall be paid to their estate.
- k) No additional salary shall be paid an employee in lieu of vacation since the purpose of a vacation is rest and relaxation.
- l) There will be no accrual of vacation leave for any calendar month in which an employee is on leave of absence without pay, either authorized or unauthorized, an aggregate of more than three (3) working days.
- m) To accrue vacation in each calendar month, an employee must work a minimum of one (1) day in that calendar month. For new employees, the first month will be partial credit calculated as days worked from date of hire multiplied by actual days in that month.
- n) If a holiday, which the employee might normally observe, occurs during a vacation leave, it shall be treated as a holiday leave and not vacation leave.
- o) If an employee is on vacation and becomes injured or physically incapacitated for three (3) working days or more, they shall be permitted to transfer those vacation days to sick days providing the employee has accumulated sick leave, a physician's written verification, and approval of the department head.
- p) Vacation leave shall be determined by length of continuous service from date eligible for benefits. Employees who leave the Town service and later return shall be considered new employees with no credit for previous service.
- q) Employees who are transferred, promoted or demoted from a position in one department to a position in another department without a break in their continuity of service, may carry their accrued vacation leave with them to their new position.

