

## **Town of Cape Elizabeth Miscellaneous Policies Applying to All Personnel**

### **Seat Belts**

Effective October 15, 1990, all personnel are required to wear seatbelts in municipal vehicles and in personal vehicles while on municipal business.

### **Mileage Stipends and Use of Municipal Vehicles**

Some employees are given annual mileage stipends paid monthly for all miles travelled within 200 miles of Cape Elizabeth. Mileage stipends are taxable to the degree that mileage logs are not submitted. Any mileage not reported by December 31<sup>st</sup> of each year shall be reported as taxable income.

Municipal vehicles are to be used for municipal purposes only. The Fire Chief, Director of Public Works and the Chief of Police are provided with municipal vehicles which may be taken home after work. Pursuant to IRS regulations, any commuting use of a municipal vehicle is taxable income that the Town must report to the Internal Revenue Service. By December 15<sup>th</sup> of each year every employee assigned a municipal vehicle must report any non-official mileage and any commuting mileage to the Town Treasurer.

### **Conference Policy**

The following policy is intended to govern attendance at conferences and seminars .

1. All conference attendance more than 200 miles from Cape Elizabeth, to be paid for by the Town, shall be listed in the annual budget request, and shall be broken down as follows: Registration fees, transportation expense, lodging and miscellaneous. Funds shall be consolidated in the Administration account (110) for all departments, except for Town Council travel.
2. Registration fees shall be paid in advance to receive the maximum discount.
3. Any fees or costs for a spouse shall be paid by the employee except for any fee that may be charged for a closing banquet.
4. For distant conferences further than 100 miles away, the Town shall pay for lodging for the evening before a conference begins through and including the evening a conference ends. An employee shall return home unless the conference ends late at night or after flights are not available to come home.
5. Air travel shall be arranged early in order to receive reduced rates.
6. If an employee elects to drive to a conference in their private vehicle, the Town will reimburse mileage at the established rate, but not exceeding the cost of the lowest airfare then in effect. If car rental is less expensive than mileage, then a vehicle shall be rented. Lodging to and from the conference when traveling by vehicle shall not be paid by the Town.
7. If an employee elects to combine a vacation with travel to a conference, the Town will pay the round-trip lowest cost airfare to the conference city with any additional airfare or costs resulting from the vacation time to be paid by the employee.

8. Meal costs vary greatly from city to city. The Town does not have a set per diem rate; however, it is anticipated that costs will be reasonable. The Town does not pay for alcoholic beverages. Please obtain receipts whenever possible.
9. The Town does not pay for room service, in-room movies, use of in-room refrigerators, telephone charges, nor for other incidentals charged to a room except for meals in hotel restaurants.

**Displacement Employee Career Counseling Services**

If an employee is displaced due to a reduction in services, the town will provide the following.

\$100.00 for each year (or fraction) of service up to a maximum of \$500.00. The town will pay the vendor directly. The employee must make the request to the town manager prior to making arrangements with a vendor. The request for services must take place while the employee is still employed by the town or within 7 days of termination.

**Employee Recognition Policy**

**Anniversaries**

		<b>Value</b>
<b>5 Years</b>	Recognition Certificate and PHL Gift Shop Item	\$35.00
<b>10 Years</b>	Recognition Certificate and PHL Gift Shop Item	\$50.00
<b>15 Years</b>	Recognition Certificate and PHL Gift Shop Item	\$75.00
<b>20 Years</b>	Recognition Certificate and Town Clock <u>(Personalized)</u>	130.00
<b>25 Years</b>	Recognition Plaque and Town Chair <u>(Personalized)</u>	\$350.00
<b>30 Years</b>	Recognition Certificate and Town Clock until 2018 <u>(Personalized)</u>	\$130.00
<b>Additional 5 Year</b>	Recognition Certificate and Town Clock until 2012 <u>(Personalized)</u>	\$130.00

Clothing: Sweatshirts, golf shirts and other similar clothing and articles may be given to employees, provided funding is available and approved by the Town Manager.

Other: An annual employee picnic will be held if funding is budgeted. Municipal employees will be recognized when they work a regularly scheduled full or part time schedule. For purposes of this policy, contracted services, stipend positions, on call, volunteers, seasonal and substitutes do not apply. In addition to recognition at the annual event, public announcement of service awards will be provided to the local media. This program does not favor highly compensated employees as to eligibility or benefits.

**Exempt Employees Compensatory Time Provisions**

Section 3-1-8 of the Personnel Code states that “it is understood that the salaried positions are paid on the basis of job responsibility and it is the responsibility of the person filling the position to accomplish the work assigned to that position regardless of hours required to do the work, *within reason.*”

Defining “within reason”: The Town utilizes as “within reason” a construct of hours worked in a day, week, or month, which exceed 20% of the regularly scheduled hours. This roughly translates into more than 2 hours in a day, more than 5 hours in a week and more than 8 hours in a month beyond the regular work schedule.

#### Specific Provisions

1. The purpose of compensatory time is not to prevent salaried employees from working more than the normally scheduled hours. Salaried employees are expected to work the time needed to perform their duties. Compensatory time should be available to avoid situations where overly tired salaried employees become a safety hazard to themselves or others, decline in productivity and/or competence, or experience stress in excess of levels normally occurring as part of their job.
2. Compensatory time shall not be taken except when the “within reason” provisions outlined above have been met. Any time taken off beyond the “within reason” threshold shall be taken as one hour for each hour of work beyond the threshold.
3. Compensatory time must be taken within the fiscal year (no carry over).
4. Accumulated compensatory time will not be paid at the time of separation.
5. Compensatory time does not include travel time to and from the meeting/event/call-out/emergency.
6. The Town Manager may make special arrangements/adjustments, beyond the approved provisions.

#### **Identification System Policy**

It is the policy of the Town of Cape Elizabeth to make the work environment as safe as possible for employees as well as keeping buildings safe for citizens conducting business. An identification system is another tool to assist personnel with recognizing the presence of unauthorized people in and around areas of the workplace.

Upon employment or appointment for the Town of Cape Elizabeth, an employee will be issued a photo identification badge. All Town of Cape Elizabeth employees will be required to wear the photo identification badge during scheduled work hours. The identification badge will be displayed so it is clearly visible.

Should employees see a person in an “employee authorized only area” without a Town issued photo identification badge they should ask if the person needs assistance, escort the person to the proper location they intended to be at, or contact their immediate supervisor.

It is known that Departments under the Town have different issues and circumstances, which would cause for internal policies to be in addition / exception to this policy within their Departments. All internal policies will meet with the approval of the Town Manager before adoption.

Upon an employees departure from employment with the Town of Cape Elizabeth they will be expected to return their identification badge to their immediate supervisor.

## **Wellness Program**

**Goal:** The Wellness Program will promote the physical and emotional well being of employees through a comprehensive health care program diversified enough to appeal to all employees.

**Benefit:** Each town employee with a regular work schedule of at least 15 hours a week shall be reimbursed for eligible wellness expenses of up to \$150 dollars each calendar year.

**Eligible Expenses:** The wellness benefit is intended to be used to improve the health of the employee. The employee is encouraged to become involved in health programs offered by Cape Elizabeth Community Services and the Richards' Community Pool. The following expenses shall be eligible for reimbursement of up to \$150 dollars:

1. Exercise Programs. Reimbursement for membership in a gym, physical fitness class, aerobics class, yoga class and similar structured or supervised programs.
2. Behavior Modification Programs. Reimbursement for professionally organized or, where appropriate, licensed, programs that promote a healthier lifestyle, such as weight reduction, smoking cessation programs, healthier cooking classes, homeopathic medicine training, nutritionist counseling and similar programs.
3. Other reimbursements. Reimbursement for other activities that promote the physical and emotional health of the employee as approved by the Town Manager.

**Ineligible Expenses:** It is the intention of the Wellness Program to promote the greatest health benefit possible for the employee and, at the same time, provide a wide range of reimbursable activities so that all employees will participate in their area of interest. In an effort to achieve that balance, the following items will not be reimbursable:

1. Books
2. Charitable contributions
3. Clothing and footwear
4. Greens fees
5. Expenses incurred by other than the employee, with the exception of family membership at the Richards' Pool.

**Reimbursement:** To be reimbursed for eligible expenses, the employee shall submit a receipt to the Town Manager and a request for reimbursement for anything listed

above. For anything not on the list and requiring special approval, the employee shall consult the Town Manager prior to purchase.

**Program Management:** Upon approval, this description of the Cape Elizabeth Wellness Program shall be distributed to all employees by including a copy in their paycheck.

The Personnel Advisory Committee (PAC) shall be provided with an annual report of how wellness funds have been spent. PAC shall evaluate the use of the program, specifically to promote full participation and to consider a recognition program for employees.

### **Payroll Distribution**

Payroll is provided bi-weekly. All employees are encouraged to take advantage of direct deposit. All employees hired after July 1, 2009 are paid through direct deposit only.

Payroll checks are distributed on Friday and are not available earlier in the week as the funds are not deposited in the Town's payroll account until Friday morning. The only exceptions to this are for the 11 p.m. – 7 a.m. police shift on Thursday night or if a holiday falls on a Friday.

### **Town Hall Parking**

All employees working or visiting the Town Hall (other than on personal business) are to park behind the Town Hall during normal business hours unless the employee has a disability which requires a shorter walking distance. Police and fire vehicles are exempt.

### **Cape Elizabeth Employees Combined Charitable Appeal**

**A. Purpose** The "Cape Elizabeth Town Employees Combined Charitable Appeal" (The appeal") is established to allow a single, coordinated campaign, to permit payroll deductions, and thereby encourage financial support from Town employees for various charitable agencies which meet criteria as set forth elsewhere in the procedures.

The appeal will ensure public accountability to contributors as well as provide employees the opportunity to support a variety of services with a single gift spread over the entire year, if desired. In order to ensure public accountability, full disclosure must be made by each umbrella organization on its internal distribution system for the disbursement of funds (to constituent agencies) which are collected from Town employees, and what services are made available through funding.

### **B. Major Principles**

1. The relationship of participating organizations among themselves and with Town employees will be such that no one organization will function or carry out its responsibilities in a manner detrimental to the others.

2. Both the voluntary nature of the gift and the independence of the participating voluntary organizations shall be preserved.

3. Participation shall be limited to umbrella organizations. The nature of umbrella organizations eligible for participation shall be clearly defined. Participation in the system shall be open under carefully defined criteria for eligibility and on orderly application process.

### **Structure and Assignment of Responsibilities**

**A. Town Manager** The Town Manager shall assign staff to coordinate the annual appeal. Staff shall be responsible for reviewing and approving umbrella organizations for participation as well as implementation of these policies.

### **B. Participating Umbrella Organizations**

1. Each of the following is a legally constituted and recognized organization under the several definitions and terms of this policy.

- a. Greater Portland United Way
- b. Umbrella organizations meeting criteria set forth in Chapter III.
- c. National Health Agencies organized within the State of Maine in those locations where the National member agency has a State or local chapter or affiliate which is organized to provide direct and meaningful services to persons in Maine, and which is not a member of a local United Way.

2. It is further recognized that the appeal shall be conducted based on a negotiated operating agreement based on this model policy and procedures among the interested umbrella organizations. To be eligible, each participating umbrella organization must, by October 1, demonstrate that it and its constituent agencies meet the criteria established in these policies and procedures.

### **Eligibility for Participation in the Appeal**

#### **A. Umbrella Organizations**

1. Participation is limited to umbrella organizations which meet standards of eligibility set forth in these procedures. An umbrella organization means a federation of independent charitable organizations which have voluntarily joined together for the purpose of raising and distributing money for and among themselves and where membership does not confer operating authority and control of the individual organization upon the umbrella organization.

2. An umbrella organization must be composed of at least fifteen constituent agencies, each of which provides local services, and must be at least two years old by January 1 following the campaign. It must not have been formed solely to solicit Town employees. An umbrella organization refers to an organization which has been designated to serve as agent in the local appeal for a group of constituent agencies. Each umbrella organization must fund or provide the people of Maine with human health and welfare or advocacy of education services.

3. Each umbrella organization shall be responsible for the review and admission of any new constituent agencies under its respective umbrella.

4. After the first year participating in the appeal, an umbrella organization must have at least three employees donating and at least \$520 in contributions in order to remain eligible.

### **B. Constituent Agencies**

Access to the Appeal Campaign is available to agencies through their membership in one of the participating federations. Federations of fifteen or more agencies may participate in the combined charitable fund raising drive if the Federation determines that each constituent agency meets the following criteria:

1. Certifies that it operates in compliance with all applicable Federal, State and local laws.
2. Certified that it operates under currently valid articles of incorporation and by-laws.
3. Has a currently valid designation by the Internal Revenue Service as a 501 (C) (#3) tax exempt organization.
4. Certifies that it is in compliance with Maine law related to the registration of charitable organizations.
5. Provides a duplicate copy of its Form 990 filed with the IRS for its most recently completed fiscal year, or a copy of its audited financial statements for such year as prepared by a certified public accountant.
6. Submits a copy of its current operating budget.
7. Demonstrates that it maintains a substantial presence in the geographic area covered by the campaign are exempt from this provision. (Substantial presence is defined as maintenance of a staffed facility accessible by the public at least 24 hours each week.)
8. Demonstrates that it has exercised its charitable functions for at least two years prior to application.
9. Certifies that it will use funds from the Campaign solely in the exercise of the charitable functions provided by the entity itself or through Federation member agencies including reasonable administrative costs of their programs.
10. Documents that it provides direct human health and welfare or advocacy or education services to residents of Maine. (Attach documentation).

**Campaign Standards** 1. Ethical Promotion - ethical methods of publicity, promotion, and solicitation of funds (applicable to all).

- a. No payment of commission for fund raising.
- b. No specific mailing to employees.
- c. No general telephone solicitation of employees.
- d. No use of identified government employees in solicitation of the general public.

### **Operating Policies and Procedures**

**A. Campaign Name** The official name for the employer giving system shall be “The Cape Elizabeth Town Employees Combined Charitable Appeal”.

**B. Number of Campaigns** Only one campaign in each calendar year is permitted. No participating umbrella organization or agency shall solicit Town employees by any other method, location, or time of year.

**C. Campaign Period** The campaign solicitation period will be scheduled for a period beginning no earlier than September 1, and concluding no later than November 1.

**D. Payroll Deduction** Central to the entire system is the encouragement of payroll deduction as the preferred method of giving. Single contributions may be made, however, in the form of cash, check or money order.

**E. Contributor Designations** Umbrella organizations shall provide opportunity for the employee to designate gift.

**F. Cost of Campaign** The Town of Cape Elizabeth will provide the operation of the payroll deduction system as a service to its employees in the same manner that other authorized deductions are provided. It shall be the policy of the Town to permit reasonable time for volunteers to participate in the appeal.

### **Financial Data and Audit**

**A. Disbursement of Funds** The Town Treasurer shall issue one check each month transmitting all payroll deduction to the appropriate umbrella organization.

**B. Audit** The contribution accounts shall be audited at the end of each business year by a recognized accounting firm and copies made available upon request to the participating umbrella organizations.

### **Foul Weather Policy**

The Town of Cape Elizabeth provides important services that are needed by the public in all types of weather. Public works, police and other public safety employees provide emergency services during storms. Other personnel assist with information and with ensuring that all systems and buildings are functioning. Due to the important nature of all municipal work, buildings and services remain open except during extreme storm events.



The determination of what constitutes an extreme storm event rests solely with the town manager or in the absence of the town manager, the assistant town manager. During times when the Town hall is not due to be open (after hours, weekends and holidays) decisions involving the Thomas Memorial Library, the Community Services Program, and the Pool and Fitness Center shall be made by the responsible department head. It is strongly encouraged that the Community Services Director and the Thomas Memorial Library Director coordinate closings.

In any instance that a building or service remains closed for an entire day, opens late or closes early, all employees scheduled to work during the closed period shall receive their pay without the time being charged. If any employee with permission leaves early or arrives late due to a storm and services remain open, the time shall be charged to vacation time.

Department heads will be notified as soon as is practicable of any delayed opening or closure of a department or service due to extreme weather conditions. It is the responsibility of the department head to contact employees within the department. Attempts will also be made to have the information on the town web site and on local radio station WGAN AM, WCSH TV. (6) and WMTW (8). It is always possible that circumstances may result in an employee not hearing of a delayed opening or closure. No additional pay or time off is given for any employee not receiving a notification.

**Pay Stipends** A number of positions receive pay stipends for work performed including the Harbormaster, the Director of Emergency Management, the Tree Warden and the Cemetery Family Liaison. The stipends are determined each year through the budget process and are for services provided since the previous payment. Pro rata payments are made when a vacancy occurs in a position.

**Bereavement Recognition.** Upon the death of a currently serving member of a Board or Commission, the death of a former employee or former Council Member or upon the death of a spouse, parent, child or significant other of an employee, the Town shall send flowers with a value up to \$100.00 or will make a contribution in lieu of flowers of \$100.00 to a charity indicated in a newspaper listing or a charity known to be important to the decedent of the Town employee.

**Mobile Phones.** Mobile phones and similar devices should be used minimally during working hours. When driving in municipal vehicles or on municipal business such devices shall be in a hands free mode or used when a vehicle is not in motion.