



TOWN OF RAYMOND, MAINE Personnel Policy

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December 1, 1998
August 1, 2000
November 20, 2001
December 3, 2002
June 17, 2003
December 20, 2005
January 16, 2007

ARTICLE I - PREAMBLE

- A. The Board of Selectmen hereby adopts the following Policy for utilization by the Town of Raymond in the administration of the personnel activities of the employees of the Town of Raymond. These rules and subsequent modification shall supersede any policy and rules made previously by the Board of Selectmen.
- B. The Town, through its Board of Selectmen, may delete, amend, modify or change any or all of the provisions contained in this Policy without prior notice. The provisions set forth are not contractual, but rather, are for the general guidance of the Town in its relationship with its employees.
- C. The Town Manager shall be responsible for the implementation of this policy.

ARTICLE II - EMPLOYMENT

- A. The employment of all personnel shall be the responsibility of the Town Manager.
- B. The employment of the Town Manager shall be the responsibility of the Board of Selectmen.
- C. All applicants for employment must submit a written application for employment on forms approved and provided by the Town Manager. Any willful and material misrepresentation of fact on an application shall be grounds for disciplinary procedures and/or termination and dismissal upon discovery of such misrepresentation.
- D. All other factors being equal, residents of Raymond will be given preference for employment opportunities.

- E. Present Town employees, who apply for employment, shall be given first consideration in filling a vacancy, but it is recognized that the good of the Town may require a vacancy be filled outside the ranks of Town employees from outside of the community.
- F. Applications for employment will be reviewed by the Department Head and the Town Manager. Written, oral and/or physical testing may be required of applicants who have received conditional offers of employment, in conformance with the requirements of the Americans with Disabilities Act. Appointments will be made by the Town Manager and subject to confirmation by the Board of Selectmen when required by statute.
- G. All employees are considered probationary for the first six (6) months of employment. The probationary period shall be considered an extension of the selection process. Probationary employees may be removed at any time during the probationary period without cause and without right to file a grievance.
- H. Prior to the completion of the probationary period, the employee will receive a formal written evaluation from his/her immediate supervisor and/or the Town Manager. A favorable evaluation will result in the employee being transferred to permanent status.
- I. Employees will be given an annual written evaluation by their immediate supervisor and/or the Town Manager. Such evaluation will be considered when salary, promotions, discipline or any other personnel action is proposed.

ARTICLE III - EQUAL OPPORTUNITY EMPLOYER

The policy of the Town of Raymond is to provide equal opportunity to all employees and applicants without regard to religion, age, sex, marital status, race, color, ancestry, national origin, physical or mental handicap, except as a bona fide occupational qualification.

ARTICLE IV - TYPES OF APPOINTMENTS

The following types of appointments may be made to the Town's service in conformity with the rules established.

- A. **Full Time.** A full time employee works full time (a minimum of thirty two hours per week) and on a continuing and indefinite basis. Most full time employees will be expected to work between 35 and 40 hours per week and will be subjected to additional hours on an as needed basis. He/she is subject to all personnel rules and regulations and receives all benefits and rights as provided by these rules.
- B. **Regular Part Time.** An employee in this classification works less than a full work week (less than 32 hours per week), but on a continuing and indefinite basis. He/she is subject to all personnel rules and regulations. Vacation, sick leave and holiday benefits shall be in proportion to the hours worked.
- C. **On Call Part Time Employees.** An employee in this classification works less than a full work week (less than 32 hours per week), and only works when called upon. They are not entitled to benefits such as retirement, health insurance, holiday pay, accrual of sick leave and vacation time.
- D. **Stipend / Part Time Employees.** An employee in this classification works less than a full work week (less than 32 hours per week), and works enough hours to perform the duties required of him/her and is paid an annual fixed salary. They are not entitled to

benefits such as retirement, health insurance, holiday pay, accrual of sick leave and vacation time.

- E. **Temporary Employees.** Temporary employees work on a non-permanent basis, usually within a limited time frame such as seasonal positions. They are not entitled to benefits such as retirement, health insurance, holiday pay, accrual of sick leave and vacation time or seniority, and may be terminated for any reason at any time.
- F. **Special Appointees.** Official positions filled by appointment of the Town Manager and/or Board of Selectmen, but not considered employees for purposes of compensation or benefits.
- G. **Other Classifications.** The Town through its Selectmen and/or Town Manager may, from time to time, by appointment fill other posts and positions, either by voluntary service on certain town boards and committees (such as Planning Board, Board of Appeals, Conservation Commission), by contract or fee for services (such as engineer, auditor, town attorney) and similar. These categories of service are not considered “employment” within the meaning of this policy. Those persons are not entitled to benefits such as retirement, health insurance, holiday pay, accrual of sick leave and vacation time or seniority, and shall serve at the pleasure of the Selectmen and/or Town Manager or, where appropriate, within the limited terms and conditions of any special appointment they may have received, and may be terminated for any reason at any time, except as otherwise provided by law.
- H. **Job Descriptions.** From time to time the Town Manager (and/or Selectmen where permitted by statute) shall develop, and as appropriate, modify and amend job descriptions for all of the above referenced employees, which shall then be appended hereto as Appendix A and made a part hereof by reference.
- I. **Organization and Status of Municipal Employees.** Appended hereto as Appendix B and made a part hereof by reference.

ARTICLE V - PUBLIC AND EMPLOYEE RELATIONS

- A. Town employees are prohibited from engaging in any conduct, including outside business activity, which could reflect unfavorably upon the Town or disrupt the efficient operation of the administration of the Town. Town employees must avoid any action which might result in or create the impression of using public employment for private gain, giving preferential treatment to any person, losing complete impartiality in conducting Town business, or abandoning commitment to or pursuit of the goals and policy objectives of the Town.
- B. Cooperation of all employees is essential to efficiency. Raymond citizens are entitled to the best service we can give them. Cooperation, courtesy and responsibility are the key elements of good service.
- C. These policies and regulations are provided to assist the employees and Town administration in functioning at peak efficiency with minimal cost to the taxpayers.
 - 1. **Receipt of gifts.** A town employee is prohibited from soliciting or accepting any gift, gratuity, favor, entertainment, loans, outside business inducement or any other item of monetary value from any person, within or outside Town employment, whose interests may be affected by the employee’s performance or nonperformance of his/her official duties.

Acceptance of nominal gifts, such as food and refreshment in the ordinary course of business meetings, or unsolicited advertising or promotional materials such as pens, note pads, calendars, etc., is permitted.

2. **Business Activities and Solicitations.** No employee shall engage in any business other than his/her regular duties during work hours. Employees working for the Town of Raymond are expected to be available for work, as needed. The Town does not prohibit the undertaking of additional employment or outside business activities, so long as such employment is approved in advance and in writing by the Town Manager and such activities do not interfere with the duties of Town employment, conflict with or undermine the established policies of the Town, or compete with Town programs including Town programs for which a user fee or similar is charged.

3. **Confidentiality.** Many Town employees have access to confidential information pertaining to persons or property in the town. Employees must not use this privileged information to their private advantage or to provide friends or acquaintances with private advantages. Each employee is charged with the responsibility of releasing only information which is required under the "Right to Know" law, 1 MRSA Sections 401-410.

ARTICLE VI - WORK WEEK - OVERTIME

- A. The regular work week for payroll purposes begins on Monday and ends on Sunday. The actual hours for Town employees shall be set by the Town Manager.

- B. Work hours for all employees will be scheduled by the employee's immediate supervisor.

- C. Exempt employees will be expected to work as many hours as necessary to fulfill the duties of their position but in no case less than 35 hours per week.

- D. Employees not exempt from the Fair Labor Standards Act shall receive overtime pay after forty hours of actual work per week. All overtime shall be paid at the rate of one and one-half times the employee's normal rate of pay. At the discretion of the Town Manager, overtime may be compensated with compensatory time for hours worked beyond forty hours in a work week. Such compensatory time shall be granted on a time and one-half basis for hours worked beyond forty hours in a work week.

ARTICLE VII - ATTENDANCE

Employees shall be at their respective places of work at the appointed starting time. It is the responsibility of employees who may be absent from work to see that their immediate supervisor is advised of the reason for such absence, not previously arranged for, if possible, within two (2) hours of the beginning of the starting time of his/her work day.

ARTICLE VIII - HOLIDAY

- A. Subject to these rules, the following holidays shall be paid holidays for regular full time Town employees: New Years Day; Martin Luther King's Birthday; Presidents Day; Patriots Day; Memorial Day; July Fourth; Labor Day; Columbus Day; Veteran's Day; Thanksgiving Day; the day after Thanksgiving Day; Christmas; and one personal holiday. While not paid holidays, the Town Office will be closed on the Saturday of Labor Day

weekend, the Saturday of Presidents Day weekend, the Saturday following Thanksgiving and Saturdays when Christmas and New Years Day falls on a Friday or Sunday.

- B. Holiday privileges are available to full time and regular part time employees.
- C. If a regular holiday falls on a Sunday, the following Monday is considered a holiday.
- D. A person on a leave of absence without pay shall not be entitled to holiday pay.
- E. When occasion warrants, employees may be required to work on a holiday. Employees working on a holiday shall receive time and a quarter pay for time actually worked plus the applicable holiday pay. If the holiday also represents an overtime shift, the employee shall be paid time and three quarters for time actually worked plus the applicable holiday pay. (12/20/2005)
- F. Exempt employees will receive a normal day's pay (not to exceed 8 hours) for the holiday at their regular rate of pay for hours normally worked (holiday benefit not to exceed 8 hours regardless of whether a normal day consists of more than 8 working hours).
- G. Employees not scheduled to work on a holiday will have the option of rescheduling the holiday at a later date. Any in-lieu of holiday time will be scheduled and approved by the employee's immediate supervisor and/or the Town Manager.

ARTICLE IX - VACATION

- A. Vacation privileges are available to full time and regular part time employees subject to the following conditions. Each full time employee shall earn vacation with pay on the following basis: Vacation pay will accrue at the rate of 1 day per month employed for the first 3 years; 1 ¼ days per month worked after 3 years; 1 ½ days per month worked after 10 years; and 1 ¾ day per month worked after 15 years. Earned vacation benefits will be based on normal day's hours not to exceed 8 hours, regardless of whether a normal working day consists more than 8 hours.
- B. Vacations will be scheduled at such time or times as shall be mutually agreeable to the employees and their supervisors. Due consideration will be given to an employee's seniority in regard to scheduling vacations.
- C. Vacation time will be allowed to accumulate to a maximum of 152 hours and will be paid to employees retiring, resigning voluntarily, or through other means of separation.
- D. Vacation time will not be approved for periods of more than two weeks, except in an emergency situation not of the employee's making. All exception must be approved by the Town Manager.
- E. Vacation leave shall accrue from the date of hire; however, employees shall not use vacation benefits until they have completed their first 6 months of employment.
- F. Employees may receive their vacation pay prior to the start of their vacation, but must advise the town Treasurer in writing, at least ten (10) days in advance.

ARTICLE X - SICK LEAVE

- A. Sick leave may be used for personal illness or physical incapacity of such a degree as to render the employee unable to perform the duties of his/her position unless the employee is capable of other work and assigned to such other work; or for personal medical or dental appointments; or to care for members of his/her immediate family affected by serious illness.
- B. Sick leave accrual for full-time employees shall accrue at the rate of one work day, not to exceed 8 hours, for each full calendar month of service to a maximum of sixty (60) working days or 480 hours. For the purpose of this section, the first month of an employee's service shall be counted as a full month if employment begins on or before the 15th day of the month.
- C. Full-time employees shall be eligible to use sick leave after thirty (30) days of service with the Town.
- D. The employee must work thirteen (13) or more full work days in that month to earn sick leave for that month.
- E. Sick leave shall not be considered as an entitlement which an employee may use at his/her discretion, but shall be allowed for the necessity arising from actual sickness or disability of the employee. After using three successive days of sick leave, the employee shall furnish the Town with a certificate from his/her attending physician.
- F. Absences for a part of a day that are chargeable to sick leave shall be charged proportionately in an amount not smaller than one-half (1/2) day.
- G. Sick leave usage shall be recorded regularly by the Town Treasurer. The Town Manager shall review all sick leave records periodically and shall investigate any cases which indicate abuse of the privilege. Abuse of sick leave privilege shall be cause for discipline. Sick leave shall under no circumstances be bought back.
- H. The department head shall be notified as close to the start of the work shift as possible.
- I. Employees shall be expected to call on each day of absence. Failure to report shall be justification for disallowing sick leave for that day.
- J. Sick leave will not be used to extend vacation time or create holiday weekends.
- K. An employee may use up to 5 sick leave days per year to care for a member of his/her immediate family.
- L. An employee may donate up to 40 sick hours of sick leave per year to a sick leave bank to be used as needed for major illness of any contributor. An employee must donate to the program by June 30th in order to be eligible during the following fiscal year.
- M. Upon an employee's separation in good standing status with the Town, the employee shall be paid up to ½ of all accumulated sick leave. In no case shall the employee be paid more than 240 hours of pay.

ARTICLE XI - LEAVES OF ABSENCE

- A. **Bereavement Leave.** An employee may be excused from work for up to three (3) work days because of death in his/her immediate family, as outlined below, and shall be paid his/her regular rate of pay for scheduled work hours missed. It is intended that this time

off be used for the purpose of handling necessary arrangements and attendance at the funeral. For purposes of this article only, immediate family is defined to mean spouse, parents, children, brothers, sisters, mother-in-law, father-in-law, grandfather, grandmother, and grandchildren. One (1) work day may be granted to employees at the sole discretion of the Town Manager for attendance at funerals of persons not covered under the above definition.

- B. **Leave Without Pay.** An employee may be granted a leave of absence without pay, granted by and at the discretion of the Town Manager, for a period deemed necessary by the employee for the purpose of the leave, but not in excess of sixty (60) calendar days. The employee is expected to return to work upon the expiration of a granted leave or to have arranged an extension of a leave, granted at the discretion of the Town Manager. Continued absence without having arranged for an extension of leave may be deemed a resignation from the service. Employees may choose to continue health benefits for the duration of the leave by assuming the employer contribution. Vacation and sick leave will not continue to accrue during the leave.

ARTICLE XII - JURY DUTY

The Town shall pay to an employee called for jury duty, for a period of up to 4 weeks, the difference between his/her regular pay and juror's pay provided the employee presents an official statement of jury pay received.

**ARTICLE XIII - ARMED FORCES AND NATIONAL GUARD
ACTIVE AND CALL UP DUTY**

The Town shall pay to any regular full time employee his/her regular pay during any annual activity requirement not to exceed two weeks' total per year.

ARTICLE XIV - RETIREMENT

- A. All town employees will participate in and contribute to Social Security.
- B. All employees will be eligible to participate in the ICMA Retirement Corporation Deferred Compensation Program. Full-time employees contribution will be matched by the Town based on the following table:

Years of Employment	Employer Match of Gross Wages
During 0 – 6 months	0%
During 6 months – 1 year	1%
During year 2	2%
During year 3	3%
During year 4	4%
During and after year 5	5% (maximum rate)

ARTICLE XV - WORKERS COMPENSATION

All Town employees are covered by Worker's Compensation Insurance. All injuries, no matter how minor, occurring during the working hours must be reported to the Employee's immediate supervisor and a written report must be made as soon as possible.

ARTICLE XVI – HEALTH, DENTAL, AND LIFE INSURANCE

Employees will be eligible to participate in the Town's health, dental, and life group insurance programs. The Town will pay 100% of the cost of individual health insurance coverage. Family health insurance coverage will be paid at a rate of 85% Town, 15% Employee match for eligible employees. Employees eligible to receive this benefit need to work 32 or more hours per average week. All other employees who average greater than 16 hours per week for the previous year will be allowed to participate in either program at their own cost.

Employees eligible to receive family health care benefits but electing not to take advantage of this employee benefit will be eligible to receive one-half the cash value (up to a dollar value of \$3,454 family or \$2,413 two person) of the difference in cost between the family plan and the single subscriber plan. This benefit will be paid in the form of an increased retirement contribution to qualified programs outlined in this policy or utilized toward the cost of Town sponsored life insurance premiums. In order to take advantage of this benefit, eligible employees are required to show evidence that their spouse and/or family is insured under another family health care benefit plan. Program eligibility will be determined annually and governed by eligibility requirements of the current health care plan. 50% added retirement benefit eligibility will be denied to non-custodial parents who are not legally required to provide health and /or dental insurance for their child(ren) (6/17/03).

ARTICLE XVII - DISCIPLINARY PROCEEDINGS

- A. **PURPOSE.** All Town employees are expected to maintain a high degree of professionalism, responsibility and loyalty and adherence to the duly adopted programs and policies of the Town. Employees who fail to maintain these standards, or who fail to comply with the provision of this Personnel Policy, may be subject to discipline and, in cases of substantial or repeated failure to adhere to these standards or the provisions of this Personnel Manual, discharge.
- B. **CATEGORIES.** The following categories of disciplinary proceedings shall apply to all employees.
1. **Verbal warning.** Normally intended to point out to an employee relatively minor or isolated instances of unsatisfactory job performance which, if repeated or continued, might lead to a more serious level of discipline.
 2. **Verbal reprimand.** Normally intended to point out to an employee a relatively serious breach of job performance standards which, if repeated, shall lead to a more serious level of discipline.
 3. **Written warning or reprimand.** Intended as a formal record of repeated unsatisfactory job performance (warning) which if continued is likely to result in jeopardy to the employee's prospects for advancement, pay increase or continued employment; or as a formal record of serious breach of duty or failure to meet job performance standards (reprimand) which if repeated will result in jeopardy to the employee's advancement, pay increase or continued employment.
 4. **Suspension.** Suspension from employment, which may be with or without pay depending on the circumstances, shall be utilized only in those cases involving significant and serious breach of duty or standards by an employee, where active employment by the employee should not continue until such time as the Town Manager is satisfied that the recurrence of such breach is unlikely, or until such time as the Town Manager is able to conduct an investigation into the action(s) meriting discipline.

5. **Discharge from Employment.** When discharge from employment is recommended by a supervisor or department head and/or considered by the Town Manager the employee involved shall be entitled to a pre-termination hearing before a panel consisting of his or her supervisor and/or department head and the Town Manager. The hearing shall be informal, with the purpose of informing the employee, either in writing or orally, of the charges against the employee which may merit discharge, an explanation of the grounds for discipline including discharge, and an opportunity for the employee to provide additional information including any matters in extenuation and mitigation. That panel shall issue a written decision promptly, with a copy to the employee. The decision might be discharge, lesser discipline or no discipline.
6. **Appeal of Disciplinary Action.** An employee shall have the right to appeal any disciplinary action taken against him or her to the Board of Selectmen. Such appeal will be given in writing to the Town Manager. The employee making an appeal shall have seven (7) days to submit an appeal after having received notice of disciplinary action against him or her. Once an appeal is received, the Board of Selectmen shall schedule a hearing within thirty (30) days to consider such appeal. At the time of any review by the Board of Selectmen the employee shall have the right to be present, to be represented by counsel, may call witnesses and present any reasonably relevant evidence in his or her behalf. The Town Manager shall also have the right to be present, may call witnesses and present any reasonably relevant evidence supporting the disciplinary action taken against the employee. The Board of Selectmen shall issue a written decision on the basis of their review, within thirty (30) days thereafter. In the event the Board of Selectmen fail to issue a decision thirty (30) days, the appeal will be considered denied. In the event the Selectmen are prevented from conducting the review in an impartial manner because they actively participated in the investigation of the charges, participated in the pre-termination hearing, or have had repeated substantive disputes or employment disagreements with the employee which predate the allegations underlying the discharge or recommended discharge, then the review of discharge or recommended discharge shall be conducted by an independent, impartial hearing officer to be engaged and paid for by the Town.
7. All disciplinary proceedings and action toward the Town Manager shall be pursuant to 30A M.R.S.A. ss 2633, except as provided by contract.

30A M.R.S.A. ss 2633, paragraph 3, reads as follows:

The Selectmen shall remove or suspend the town manager for cause in accordance with the following procedures.

- A. The Selectmen shall file a written preliminary resolution with the town clerk stating the specific reasons for the proposed removal. A copy of that resolution shall be delivered to the manager within 10 days of filing.
- B. Within 20 days of receiving the resolution, the manager may reply in writing and request a public hearing.
- C. Upon request of a public hearing, the selectmen shall hold one at least 10 days but not more than 30 days after the request is filed.
- D. After the public hearing or at the expiration of the time permitted the manager to request the public hearing, if no such request is made, the selectmen may adopt or reject the resolution of removal.

- E. The selectmen may suspend the manager from duty in the preliminary resolution, but the manager's salary may not be affected until the final resolution of removal has been adopted.

C. EMPLOYEE PERSONNEL RECORDS. Verbal disciplinary proceedings shall not become a formal part of an employee's personnel record. They shall be noted in an employee's file and may be taken into consideration on such issues as advancement and pay. All references in the file to verbal disciplinary proceedings shall be removed upon the employee's voluntary withdrawal from employment or after one year without a recurrence of the behavior which was subject to the verbal proceedings, whichever occurs first. Written disciplinary proceedings become a formal part of the employee's personnel record and shall be taken into consideration of such issues as advancement and pay. Records of written warnings or reprimands shall be removed from the file after two years without a recurrence of the behavior in question. Records of suspension shall be removed after three years in the same way, unless any investigation concluded earlier exonerates the employee, in which case such record shall be removed upon exoneration.

ARTICLE XVIII - GRIEVANCE PROCEDURES

Should an employee feel aggrieved concerning the interpretation, meaning, or application of any provisions of the Town's personnel rules, regulations and policies, he/she shall submit the details of such grievance in writing to his or her immediate supervisor or the Town Manager. Within fourteen (14) calendar days thereafter, the supervisor or Town Manager shall meet with the employee and others designated by them for the purpose of discussing the grievance. In all case the decision of the Town Manager shall be final.

ARTICLE XIX - POLITICAL ACTIVITY

While performing their normal work duties while on duty, employees shall refrain from seeking or accepting nomination or election to any office in the Town government, and from using their influence publicly in any way for or against any candidate for elective office in the Town government. This rule is not to be construed to prevent Town employees from becoming, or continuing to be, members of any political organization, from attending political meetings, from expressing their views on political matters, holding a political office, running for political office or from voting with complete freedom in any election.

ARTICLE XX - RESIGNATION

- A. **Sufficient notice** - To resign in good standing, employees shall submit resignations in writing at least ten (10) working days in advance of the effective date of their resignation.
- B. **Quitting without sufficient notice** - Any employee who quits without sufficient notice shall lose all rights and benefits granted by this policy.

ARTICLE XXI – EMPLOYEE REFERENCES

The Town of Raymond shall not provide employment references. Information provided to perspective employers of former Raymond employees will be limited to dates of employment, and any other information that the town is legally required to provide under Maine's Right to Know law. This information will be provided by the town manager or a designated employee only.

ARTICLE XXII - DRUGS AND ALCOHOL IN THE WORKPLACE

The Town of Raymond is committed to provide a safe, efficient and productive work environment. In keeping with this commitment, the Town has a strict policy regarding the inappropriate use and possession of drugs, alcohol and controlled substances. Accordingly, the Town requires all employees to report for work fit to perform their jobs and prohibits the use or possession of alcohol or illegal drugs at any time on Town premises whether on or off duty. All employees must adhere to the rules stated in this policy.

A. The following are strictly prohibited by the Town:

1. Possession or use of alcohol, or being under the influence of alcohol while on the job, on Town property, or while on-call status.
2. Driving a vehicle or operating equipment owned or leased by the Town, while under the influence of, or impaired by alcohol, illegal/controlled substances, or prescription drugs which warn against such activity.
3. Distribution, sale or purchase of an illegal or controlled substance on the job or on Town property.
4. Possession or use of an illegal, or controlled substance, or being under the influence of any illegal or controlled substance, while on the job on Town property, or while on-call status.

In addition, no employee may remain on duty or on on-call status while under the influence or impaired by any illegal drug or alcohol. For purposes of this policy, a drug will be considered an “illegal drug” if its use is prohibited or restricted by law. It is also a violation of this policy if any employee improperly uses or possesses an “illegal act or whether the employee is criminally prosecuted and/or convicted for such conduct.

An employee’s conviction on a charge of illegal sale or possession of any controlled substance while off Town property will not be tolerated because such conduct, even though off duty, reflects adversely on the Town.

B. Disciplinary Action

Violations of the above rules and standards of conduct will not be tolerated and will subject the employee to discipline up to and including discharge. The Town also reserves the right to bring the matter to the attention of appropriate law enforcement authorities.

C. Searches

In order to enforce this policy, the Town reserves the right to conduct searches on Town property, and to adopt other measures reasonably necessary to deter and detect violations of this policy. An employee’s refusal to consent to a search may result in disciplinary action, up to and including termination.

D. Legal Drugs

Any employee who is using prescription or over-the-counter drugs that may impair the employee’s ability to safely perform the job, or affect the safety or well-being of others, must notify a supervisor of such use immediately before starting or resuming work.

E. Drug and alcohol treatment / rehabilitation

The Town encourages employees with alcohol or drug dependencies to seek treatment and/or rehabilitation. The Town is not obligated, however, to continue to employ any person whose job performance is impaired because of current drug or alcohol use, nor is the town obligated to re-employ any person who has participated in treatment and/or rehabilitation if that person's job performance remains impaired as a result of current drug or alcohol use. Additionally, employees who are given the opportunity to seek treatment and/or rehabilitation, but fail to successfully overcome their dependency or problem, will not be given a second opportunity to seek treatment and/or rehabilitation. In order to be considered for re-employment, an employee must present proof of successful completion in a treatment and/or rehabilitation program.

Rehabilitation is an option for an employee who acknowledges a chemical dependency and voluntarily seeks treatment to end that dependency. Drug and alcohol abuse rehabilitation and assistance programs are available through the Town's medical insurance program. Employees with drug or alcohol abuse problems are strongly encouraged to participate in these programs.

ARTICLE XXIII - POLICY ON HARASSMENT

It is the policy of the Town that all our employees should be able to work in an environment free from all forms of harassment. Harassment, both sexual and verbal, is illegal and prohibited. This policy will be vigorously enforced; the policy applies not only to supervisor-subordinate actions but also to actions between co-workers. Any complaints of harassment will be investigated promptly. There will be no intimidation, discrimination or retaliation against any employee who makes a report of harassment.

Derogatory or vulgar comments regarding a person's sex, religion, age, ethnic origins, physical appearance, or the distribution of written or graphic material having such an effect, are prohibited. Any employee who believes he or she has been the subject of such harassment should report the alleged conduct to the Town Manager or other appropriate management. Management is any department head. In the Fire/Rescue Department, management shall include the Fire Chief and Deputy Fire Chiefs. Any supervisor or employee who is found, after appropriate investigation, to have engaged in any harassment will be subject to discipline, including discharge.

ARTICLE XXIV - SEXUAL HARASSMENT POLICY

It is the policy of the Town of Raymond that all employees have the right to work in an environment free of discrimination which includes freedom from sexual harassment. The Town of Raymond will not accept any form of sexual harassment by supervisors, co-workers, customers or suppliers. This policy is intended to prohibit offensive conduct, either physical or verbal, that threatens human dignity and employee morale, and which interferes with a positive and productive work environment.

Sexual harassment is illegal and, as outlined in the EEOC Sexual Discrimination Guidelines and the Maine Human Rights Act, includes:

Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when, (i) submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment, (ii) submission to or rejection of such by an individual is used as the basis for employment decisions affecting such individual, (iii) 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.

The following examples are common types of conduct that may constitute sexual harassment:

- slurs, jokes or degrading comments of a sexual nature;
- unwelcome sexual advances;
- suggestive or lewd remarks;
- unwelcome hugging, touching or kissing;
- requests for sexual favors;
- repeated offensive sexual flirtation or propositions;
- the display of sexually suggestive pictures or objects; and
- repeated unwelcome physical contact or touching such as patting, pinching or constant brushing against another body.

Consistent with the above guidelines, this policy prohibits any overt or subtle pressure for sexual favors including implying or threatening that an applicant's or employee's cooperation of a sexual nature (or lack thereof) will have any effect on the person's employment, job assignment, wage, promotion, or any other condition of employment or future job opportunities. This policy also prohibits any conduct which would tend to create an intimidating, hostile or offensive work environment.

Managers and supervisors are responsible for monitoring conduct which can be construed to be harassment and for initiating necessary action to eliminate such behavior. Any employee who feels that he or she is the victim of sexual harassment should immediately report the matter to his or her supervisor or, if the employee would prefer, to the Town Manager or any member of the Board of Selectmen. *(Note: Department Heads shall be considered managers or supervisors. In the Fire/Rescue Department, management shall include the Fire Chief and Deputy Fire Chiefs. No other officers or supervisors in the Fire /Rescue Department are to receive reports of harassment.)*

The Town of Raymond will immediately investigate any complaints of sexual harassment and, where warranted, take disciplinary action against any employee engaging in sexual harassment. Depending on the circumstances, such disciplinary action may include suspension or termination of employment.

Any questions regarding this policy should be addressed to the Town Manager or the Selectmen. Any employee, who believes that he or she has been a victim of sexual harassment, or who has knowledge of that kind of behavior, is urged to report such conduct immediately. No employee will be retaliated against for complaining about sexual harassment.