

WELCOME TO THE TOWN OF LYME

Starting a new job is exciting, but at times can be overwhelming. This Personnel Policy has been developed to help you get acquainted and answer many of your initial questions.

As an employee of the Town of Lyme, the importance of your contribution cannot be overstated. Our goal is to provide residents with the finest and most efficient service possible. You are an important part of this process.

This Personnel Policy explains our personnel policies and benefits, as well as the specific opportunities and responsibilities that exist for you within our Town. In an effort to be responsive to the needs of a changing organization, changes or additions to this policy will be made when necessary. We will keep you informed when these changes are made.

We are glad you have joined us, and we hope you will find your work to be both challenging and rewarding.

Sincerely,
Select Board
Town of Lyme

TOWN OF LYME PERSONNEL POLICIES

These policies are not an employment contract and the benefits described herein are not contractual in nature and their indefinite continuation is not guaranteed.

1. DEFINITIONS:

- 1.1 At Will Employment: At will employment means that either the employee or the Town is free to terminate the employment relationship at any time for any reason, so long as there is no violation of applicable Federal or State law.
- 1.2 Compensatory time: Compensatory time is time off in lieu of overtime pay for employees who work more than their regularly scheduled number of hours. If they work more than 40 hours in any given week, they will receive 1 ½ hours of compensatory time for each such hour worked.
- 1.3 Exempt Employee: An employee who meets the standards to be exempt from the overtime requirements under the Federal Fair Labor Standards Act.
- 1.4 Full Time Employee: An employee, other than a temporary employee, who works a minimum average of thirty six (36) hours per week.
- 1.5 Hourly Employee: An employee whose compensation is based on an hourly wage and the number of hours of work or paid time off.
- 1.6 Part Time Employee: An employee, other than a Temporary Employee, who works an average of less than thirty five (35) hours per week. Such an employee is not entitled to the full benefits of a full-time employee
- 1.7 Regular Employee: An employee, other than a temporary employee, who is expected to work on a continuing basis throughout the calendar year.
- 1.8 Salaried Employee: An employee whose compensation is based on a fixed annual, monthly or weekly salary.
- 1.9 Temporary Employee: An employee who is hired for a period of less than twelve months to fill a specific temporary or seasonal need. Temporary employees may be either full or part time. Such an employee is not entitled to the full benefits of a full-time employee.
- 1.10 Work Hours: Work hours are recommended by each department head for their department and approved by the Select Board.

A regular work week consists of no more than 40 work hours. No employee shall work, or request vacation or sick time, for regular hours in excess of 40, regardless of when in a week that 40 hour mark is reached. Employees may work outside of their normal work hours in order to perform all tasks associated with their job, provided that total hours in a week do not exceed 40.

An employee working more than 40 hours in a work week must have the approval of the department head.

2. EQUAL EMPLOYMENT OPPORTUNITY:

It is the policy of the Town of Lyme to employ, retain, promote, terminate and otherwise treat any and all employees and job applicants on the basis of merit, qualifications and competence. This policy shall be applied without regard to any individual's age, sex, gender identity, race, color, marital status, physical or mental disability, creed, or national origin of any individual, per RSA 354-A:7

3. SMOKING:

- 3.1 Smoking is restricted to designated outside areas in order to protect the health of all people, both Town employees and the public.
- 3.2 Department Heads may propose the designation of specific outside areas under their jurisdiction for smoking to the Select Board for approval. Any areas approved for smoking shall be clearly labeled "smoking area" and shall not adversely impact either the public or non-smoking employees.

4. HIRING OF TOWN PERSONNEL:

- 4.1 The Select Board and the Department Head shall determine the need for hiring personnel. The Department Heads shall recommend the hiring of specific individual employees to the Select Board. The Select Board and Department Head together shall determine who is hired. The Department Heads shall do no hiring of personnel without the approval of the Select Board.
- 4.2 New employees hired by the Town, other than temporary employees, shall satisfy a waiting period of 60 days. At the end of the 60 day waiting period the employee is eligible for health, dental, short term, long-term and life insurance.
- 4.3 Employees hired for positions that require a specific license or certification cannot become a regular employee until the required license or certification is obtained.

4.4 Employees may make job position transfers within the Town of Lyme. An employee who makes such a transfer shall not lose any benefits; however, the employee shall be subject to a three-month trial period in the new position. If the employee's performance is not satisfactory in the new position, he or she may return to their former position if it has not been filled by another person.

5. HOLIDAYS:

5.1 The Town of Lyme and its employees shall observe the following paid holidays:

- (a) New Year's Day,
- (b) Martin Luther King Jr.'s Birthday,
- (c) Presidents' Day,
- (d) Memorial Day,
- (e) Independence Day,
- (f) Labor Day,
- (g) Columbus Day,
- (h) Veteran's Day,
- (i) Thanksgiving Day, and (j) Christmas Day.

5.2 All holidays shall be observed on the federally designated day (normally the Friday before a Saturday or Monday after a Sunday holiday).

5.3 Town offices and work sites may be closed on the Friday after Thanksgiving and on Boxing Day (day after Christmas). Employees may take these days off as an unpaid day of absence, or a vacation day. If any employee chooses to work on either of these days, he or she shall be paid at their regular rate of pay.

5.4 Employees, other than temporary employees hired for a period of less than three months, shall be paid for their regularly scheduled work hours, which occur on the holidays listed in section 5.1.

5.5 If a Department Head or the Select Board determines that work must be performed on a holiday listed in section 5.1, employees, other than temporary employees hired for a period of less than three months, shall be paid at twice his or her regular rate for the hours worked on the holiday.

Employees who are required to work on a holiday shall be paid for a minimum of two (2) hours.

- 5.6 If a holiday listed in section 5.1 should fall on a day during an employee's scheduled vacation, the employee shall not be charged a vacation day for the holiday but shall be paid at his or her regular rate of pay for his or her scheduled work hours on the holiday.

6. VACATIONS:

- 6.1 Full time regular employees and part time regular employees scheduled to work 15 or more hours per week shall receive:

- (a) during their first five years of service, each employee shall earn 1 hour of paid vacation for every 26 paid hours not including overtime;
- (b) between five and ten years of service, each employee shall earn 1 hour of paid vacation for every 17 1/3 paid hours not including overtime; or
- (c) after ten years of service, each employee shall earn 1 hour of paid vacation for every 13 paid hours not including overtime.

- 6.2 Full time temporary employees shall receive 1 hour of paid vacation for every 26 paid hours not including overtime.

- 6.3 The amount of paid vacation shall be calculated as follows:

- (a) "Years of Service" shall be measured from the date of hire. Should an employee leave his or her employment with the town and later be rehired, "years of service" shall be measured from the later hire date.

- (b) Vacation is accrued as earned.

- (c) Every employee shall be informed of the amount of accrued vacation.

- 6.4 An employee may only carry over into the next calendar year a maximum of eighty (80) hours of accrued vacation as of January 1st.

- 6.5 Employees shall not be paid for unused vacation time at the end of the year, or upon resignation or termination.

An employee who plans to retire during the year and notifies the Select Board within 90 days of retirement shall be paid for any unused vacation time s/he has accrued as of his/her date of retirement.

- 6.6 Employees are encouraged to take their earned vacation each year.

6.7 An employee shall obtain the approval of their Department Head a reasonable time before taking any vacation. The Department Head shall work out a satisfactory schedule with each employee well in advance of vacation time. The Department Head shall handle vacation requests on a first come, first served, basis.

7. PERSONAL TIME OFF:

7.1 Full time regular employees, part-time regular employees scheduled to work 15 or more hours per week, and temporary employees who are hired for a period of three months or more and scheduled to work 15 or more hours per week shall receive one (1) hour of paid personal time off for every one hundred thirty hours (130) of paid time not including overtime.

7.2 An employee may only carry over up to sixteen (16) hours of personal time off into the next calendar year.

7.3 An employee shall not take personal time off in blocks less than one (1) hour and shall not take personal time off without the approval of his or her Department Head. Department Heads shall make a reasonable effort to accommodate an employee's request for personal time off.

7.4 Employees shall not be paid for unused personal time.

8. BEREAVEMENT LEAVE:

8.1 All employees are eligible for up to three (3) days of bereavement leave when a death occurs in his or her immediate family. For purposes of bereavement leave, the term "immediate family" shall include: spouse, children, step-children, parents, step-parents, siblings, in-laws, and other relatives living with the employee on a long term basis or relatives who the employee lived with for a long period during his or her upbringing.

8.2 Full time regular employees; part time regular employees scheduled to work 15 or more hours per week, and temporary employees who are hired for a period of three months or more and scheduled to work 15 or more hours per week shall be paid at their regular rate of pay for their regularly scheduled hours when on bereavement leave. Temporary employees who are hired for a period of less than three months shall not be paid for bereavement leave.

8.3 All employees shall request bereavement leave from their Department Head who shall grant the bereavement leave unless there is an extreme emergency.

9. SICK LEAVE:

- 9.1 Full time regular employees; part time regular employees scheduled to work 15 or more hours per week, and temporary employees who are hired for a period of three months or more and scheduled to work 15 or more hours per week shall accrue sick leave at the rate of one (1) hour for each twenty-six (26) paid hours not including overtime.
- 9.2 Employees eligible to accrue sick leave under 9.1 shall be paid at his or her base rate of pay for eight hours, or in the case of a regular part time or temporary employee his or her scheduled number of hours, for each day he or she is absent due to illness unless or until he or she becomes eligible for disability insurance benefits under any policy provided and paid for, in whole or in part, by the Town. Regular part time employees and temporary employees hired for a period of three months or more shall continue to be paid until their sick leave is used up.
- 9.3 Employees eligible to accrue sick leave may accumulate up to four hundred eighty (480) hours of sick leave. Employees shall not be paid for unused sick leave upon termination, resignation, or retirement.
- 9.4 An employee will be required to present a doctor's certificate attesting to his or her illness in order to collect any sick pay after the fifth (5th) consecutive workday of illness.
- 9.5 Employees may code their time for medical and dental appointments as sick time. (Sick time for this category is to be recorded on the employee's payroll card, submitted in the week in which it occurred, and is to be approved by the appropriate department head.)

10. FAMILY AND MEDICAL LEAVE OF ABSENCE:

- 10.1 Regular full-time employees, who have been employed for a minimum of one year, shall be granted a leave of absence, without pay, by the Select Board for up to twelve weeks in a calendar year for any of the following family or medical reasons:
 - (a) For the birth of a child and to care for the newborn child;
 - (b) For placement with the employee of a child for adoption or foster care and to care for the newly placed child;
 - (c) To care for the employee's spouse, son, daughter, or parent with a serious health condition;
 - (d) Because of a serious health condition that makes the employee unable to perform the functions of his or her job;

(e) For any qualifying exigency arising out of the fact that a spouse, son, daughter, or parent is a military member on covered active duty or call to covered active duty status.

10.2 An eligible employee may also take up to **26 workweeks** of leave during a "single 12-month period" to care for a covered service member with a serious injury or illness, when the employee is the spouse, son, daughter, parent, or next of kin of the service member.

10.3 A regular full time employee shall submit his or her request for a family or medical leave of absence in writing to his or her Department Head, who shall forward it to the Select Board for decision. The employee's request shall include the reason for the leave of absence and the period of time requested. Extensions shall be applied for in a similar manner. An employee on FMLA leave shall still be covered under the town's health insurance policy, however the employee must continue to make any required contributions towards the monthly premiums required by that plan.

10.4 The period of time spent on family or medical leave shall be deducted for an employee's length of service for calculation of any and all benefits and not count as qualifying employment for purposes of calculating benefits.

10.5 An employee who does not return to work at the end of the approved period of family or medical leave shall be deemed to have resigned as of the date the leave of absence began.

10.6 An employee shall use accrued paid sick time and disability time as part of the family and medical leave.

11. COMPENSATORY TIME:

11.1 Compensatory time off (comp time off) shall be granted only to full time employees. Town of Lyme hourly employees who work over 40 hours per week may receive comp time off in lieu of overtime pay. Exempt salaried employees are not eligible for comp time.

Comp time, like overtime pay, shall be paid at the rate of 1 1/2 times the number of hours worked which earned the time.

8 hours of overtime worked is equal to 12 hours of comp time.

The following maximum accruals apply:

Employees may not accrue more than 60 hours of comp time (40 hours actually worked).

- 11.2 The employee and the employer, the Town of Lyme, must mutually agree that the employee will earn comp time rather than overtime. The agreement can provide that the employee will be compensated for overtime hours worked with straight comp time, or a combination of overtime pay and comp time. There must be a “written record” of the agreement’s existence. The employee’s decision to accept comp time must be made freely and without coercion or pressure from the employer.
- 11.3 All comp time must be taken in the year it is earned. Any comp time not taken by December 15th will be converted to overtime and paid to the employee not later than December 31st of that year.
- 11.4 The payroll clerk must keep records detailing:
- (a) the number of hours of comp time earned by each employee,
 - (b) the number of comp time hours used by each,
 - (c) the number of hours overtime paid in cash and the date paid.
- 11.5 The payroll clerk must also keep a record for each individual employee on the employee’s individual payroll records, showing the work period eligible for comp time for the employee and the length of the period and the starting time of the comp time taken. Employees are required to submit this information to the appropriate department head who must approve the submitted comp time hours. The information is then submitted to the payroll clerk as part of the weekly payroll procedures.

12. OVERTIME

- 12.1 Employees may be required to work overtime by their department heads.
- 12.2 Overtime is paid if an employee is required to work more than 40 hours.
- 12.3 Previously scheduled vacation time, holiday time, personal time and sick time used prior to the overtime are all counted towards hours worked when determining whether an employee is entitled to overtime pay. Compensatory time does not count towards 40 hours worked for the purpose of overtime hours.
- 12.4 Supervisors are required to approve all requests for overtime hours.

13. LUNCH BREAK:

The Town of Lyme shall grant a half hour lunch break to all employees required to work more than five consecutive hours except if it is feasible for the employee to eat during the performance of his or her work and he or she is permitted to do so.

14. ADDITIONAL BENEFITS:

14.1 Workman's Compensation Insurance: The Town shall cover all employees with workman's compensation insurance to the extent required by law.

14.2 Unemployment Insurance: The Town shall cover all employees with unemployment insurance to the extent required by law.

14.3 Health Insurance: The Town shall cover all regular full time employees with health insurance policies as follows:

14.3.1 Employees hired before January 1, 2009

- (a) The Town shall pay the full cost of the selected base single person health insurance plan for all regular full time employees commencing on the first of the month following completion of their initial 60 day waiting period.
- (b) Employees with less than 2 years of employment will be able to add either two-person or family coverage at a cost to the employee of 15% of the cost above the selected base health plan. Employees with at least 2 years of employment but less than 5 years of employment will be able to add either two person or family coverage at a cost to the employee of 10% of the cost above the selected base health plan. Employees with at least five years of employment but less than 10 years of employment will be able to add either two-person or family coverage at a cost to the employee of 5% of the cost above the selected base health plan. Employees with 10 years or more of employment will be able to add either two-person or family coverage at no additional cost to the employee.
- (c) The eligibility date for this benefit for a full time employee will be calculated as starting on the first day of the month following the 60 day waiting period. In the case of "broken service", i.e. if the employee has employment with the town that is not continuous service, the Select Board may establish a constructive date of hire.
- (d) Employee contributions for benefits shall be by payroll deduction.
- (e) An employee who is eligible for additional coverage for two person or family coverage retains eligibility to elect additional coverage at a qualifying event or at the annual open enrollment period.

14.3.2 Employees hired after January 1, 2009

- (a) The Town shall pay 85% of the selected base health insurance plan for all regular full time employees commencing on the first of the month following completion of their initial 60 day waiting period.
- (b) The eligibility date for this benefit for a full time employee will be calculated as starting on the first day of the month following the 60 day waiting period.
- (c) Employee contributions for benefits shall be by payroll deduction.
- (d) An employee who is eligible for additional coverage for two person or family coverage retains eligibility to elect additional coverage at a qualifying event or at the annual open enrollment period.

14.3.3 Regular part time employees who work fifteen (15) hours or more per week shall be eligible to participate at their own expense by payroll deduction in any group insurance available to regular full time employees.

14.3.4 Regular part time employees who work less than fifteen (15) hours per week, all probationary employees and all temporary employees are not eligible for this benefit.

Employees may obtain information about this policy at the Selectmen's Office. The Town shall notify all of its employees about the health insurance option when the employee becomes eligible to participate in this program.

14.4 Dental Insurance:

14.4.1 The Town shall cover all regular full time employees with dental insurance policies once the 60 day waiting period has been completed. The Town shall pay the full cost of an individual policy for all regular full time employees. Regular full time employees may elect two-person or family coverage, but must pay the additional premium at their own expense by payroll deduction.

14.4.2 Regular part time employees who work fifteen (15) hours or more per week shall be eligible to participate at their own expense by payroll deduction in any group dental insurance available to regular full time employees

14.4.3 Regular part time employees who work less than fifteen (15) hours per week and all temporary employees are not eligible for this benefit.

Employees may obtain information about this policy at the Select Board Office. The Town shall notify all of its employees about the dental insurance option when the employee becomes eligible to participate in this program.

14.5 The Town shall pay the full cost of a Group Life Insurance Policy for each regular full time employee. Part time, probationary and temporary employees are not eligible for this benefit. Employees may obtain information about this policy at the Selectmen's Office.

14.6 The Town shall pay the full cost of a Short Term Disability Insurance policy, which will cover all regular full time employees. Part time, probationary and temporary employees are not eligible for this benefit. Employees may obtain information about this policy at the Selectmen's Office.

14.7 The Town shall pay the full cost of a Long Term Disability Insurance policy, which will cover all regular full time employees. Part time, probationary and temporary employees are not eligible for this benefit. Employees may obtain information about this policy at the Selectmen's Office.

14.8 The Town shall pay the employer cost of participation in the NH Retirement System for all regular full time employees who are required to participate in the NH Retirement System. Part time, probationary and temporary employees are not eligible for this benefit.

Employees may obtain addition information on this benefit from either the NH Retirement System's web page or at the Selectmen's Office.

14.9 The Town shall deduct the employee's share of the cost of optional benefits, pension plans, federal income, Medicare and social security taxes from the employee's pay.

14.10 Any employee may decline, in writing, to receive any benefit that is not required by law or the terms of the Town's insurance policies. (Participation in the New Hampshire Retirement System is required for all eligible employees.) Should an employee decline a benefit, he or she shall not receive the cost of the declined benefit in increased salary or wages.

15. WORKERS COMPENSATION INSURANCE

- 15.1 An employee who is absent from work due to a qualifying injury received while on the job will receive workers' compensation benefits from the Town's workers' compensation insurance carrier.
- 15.2 The amount of an employee's weekly workers' compensation benefit is set by the New Hampshire Department of Labor as determined by state and federal law
- 15.3 Workers' compensation is tax exempt, and is not considered compensation under the New Hampshire Retirement System, which means that contributions to the retirement system will not be taken from the workers' compensation payments. Sick leave and vacation leave will not accrue while an employee is receiving workers compensation benefits. Holiday pay will not be paid by the Town while an employee is receiving workers compensation benefits.
- 15.4 Income While Waiting For Workers' Compensation Determination

Workers' compensation benefits are paid retroactively from the date the application is approved back to the date of the eligible injury. If an employee has applied for workers' compensation and is awaiting a determination of eligibility, the employee will continue to receive a regular paycheck, equal to the employee's scheduled regular weekly hours, from the town for a period of up to ten weeks from the date of injury or until notification of workers' compensation is received, whichever occurs first. In the unlikely event that notification of eligibility for workers' compensation benefits is not received prior to the expiration of the ten week period, the employee may request that earned accrued time be utilized pursuant to the procedure described below. If the employee opts to continue to receive a regular paycheck during the period when his/her workers' compensation eligibility is being determined, the employee will be required to reimburse the town for all such payments up to the amount of benefits awarded for that time period and will be required to sign an agreement to this effect when opting to receive paychecks.

- 15.5 Town-Paid Supplement to Workers' Compensation Payments

If workers' compensation is awarded, the Town will make up the difference between the weekly workers' compensation benefit and the employee's regular weekly gross wages by supplementing the workers compensation payment in an amount that will result in the combined payments equaling 100% of the employee's regular gross wages. This is known as the differential. **The differential will be paid for a maximum of 10 weeks from the date of injury and is available only to full time employees.**

15.6 Use of Earned Accrued Time to Continue Receiving a Paycheck from the Town

see highlighted area below.

An employee receiving Workers' Compensation benefits may choose to supplement the workers' compensation payment after the Town has stopped paying the "differential" by utilizing earned accrued time to continue receiving a weekly paycheck from the Town. If workers' compensation is denied, the employee may choose to utilize earned accrued time to continue receiving a paycheck from the Town. Examples of accrued time are sick days, vacation time, personal days, etc. In order to exercise this option, the employee must submit a written request that earned accrued time be utilized. If the use of earned accrued time is requested because the notification of workers' compensation eligibility is not received within ten weeks of the date of injury, the earned accrued time that was used will be placed back into the employee's accrual account (as if it had never been used) if workers' compensation is subsequently awarded.

15.7 Temporary Alternative Duty: Employees with work-related injuries may also be entitled to temporary alternative duty in accordance with New Hampshire's workers' compensation laws.

15.8 Reinstatement: Under New Hampshire law a full-time employee who has sustained an on-the-job injury will be reinstated to his or her former position upon request within eighteen (18) months of the initial injury if the position exists and is available, and if the employee is not disabled from performing the duties of the position. A fitness-for-duty certificate from a physician may be required before an employee is permitted to return to work. An employee will not be reinstated if the employee has accepted a job with another employer at any time after the date of the injury or if there is a medical determination that the employee cannot return to the former position. Other circumstances concerning reinstatement will be governed by the New Hampshire Department of Labor requirements.

16. RATES OF PAY:

16.1 All employees shall be paid at a rate approved by the Select Board. In approving their rate of pay, the Select Board shall consider the Department Head's recommendation, the education and skills required by the position, the employee's skills, experience and performance, and the approved Town Budget.

16.2 If an employee's performance warrants, the Select Board may adjust the employee's salary or rate of pay.

