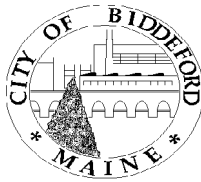


City of Biddeford
Personnel Committee
June 21, 2022 4:00 PM Council Chambers

- 1. Status: In-Person, Council Chambers 4:00 PM**
- 2. Call to Order**
- 3. Acceptance of Minutes**
 - 3.1. Accept Minutes 5-17-22
[5-17-22 Minutes.doc](#)
- 4. Discussion**
 - 4.1. Hours and Breaks- nonunion policy manual
[Hours-Breaks.pdf](#)
 - 4.2. Compensatory/Overtime- nonunion policy manual
[Compensatory-Overtime.pdf](#)
 - 4.3. Vacation- nonunion policy manual
[Vacation.pdf](#)
 - 4.4. Student Loan Repayment- nonunion policy manual
[Student Loan Repayment.pdf](#)
 - 4.5. Compensation Policy
[App A- Compensation Policy.pdf](#)
 - 4.6. Non-union Wage Increase
[2022 Nonunion Raises Brief.docx](#)
- 5. Other Business**
- 6. Adjourn**



PERSONNEL COMMITTEE MEETING

Tuesday March 29, 2022
Human Resources Department

4 PM
Minutes

ITEM 1 Call to order

Chair Councilor Norman Belanger called the meeting to order at 4:00 PM with Councilors Doris Ortiz, Councilor Scott Whiting and Councilor William Emhiser present. Also present were City Manager James Bennett and Diana DePaolo, Director of Human Resources.

ITEM 2 Acceptance of Minutes

Minutes from 2-15-22 and 3-29-22 were accepted unanimously.

ITEM 3 Discussion

3.1 Four Day Work Week

Motion to recommend and move to Council by Councilor Belanger- passed unanimously

3.2 Aging Nonunion Pay scale

Motion to pass by Councilor Emhiser- passed unanimously

ITEM 4 Other Business

ITEM 5 Adjourn

Motion to adjourn 4:53p, unanimous

Personnel Committee Members:

Councilor Norman Belanger, Chair
Councilor Scott Whiting
Councilor Doris Ortiz
Councilor William Emhiser

HOURS OF WORK

The City Manager shall determine the work week with the approval of the City Council. When circumstances warrant, overtime work may be required. When required to work more than 40 hours, non exempt employees will be paid time and one-half for each additional hour worked, or fraction thereof (to the nearest quarter hours). Hours worked shall mean actual hours worked, including, vacation time, personal time, and paid holidays.

Effective the work week of June 27, 2022, the expected work week may be adjusted to thirty six (36) hours for hourly employees (non-unionized). The work week may include a four day schedule. If an hourly employee works their regularly schedule shift of at least thirty six hours, they shall be paid for 40 hours of work. Any hours not actually worked between the 36 and 40 hours will be recorded as negative comp time weekly. Any hours worked over and above forty hours will be recorded at time and a half in the comp time bank. This bank will be reconciled on July 1 annually and any hours owed to employees will be paid at that time. Any negative comp time balances will be eliminated.

Flexible Scheduling- Employees performing work that does not require they be available at all times during City Hall's hours may request an alternate schedule. Flexible scheduling must, at a minimum, be mutually beneficial for both the City and the employee. Any approved flexible schedule may be adjusted in order to meet the legitimate business needs of the City, with little notice.

Any request may not vary from City Hall's hours more than 1.5 hours. For example, on days where City Hall opens at 7am all employees must arrive for their day between 5:30am and 8:30am. The schedule must be equal to the normal expected work week. Employees requesting an alternative work schedule should make this request in writing to the Director of Human Resources who will then meet with the Department Head to review the appropriateness of the request. The Director of HR will respond to the request with an approval or a denial in writing. Occasional and minor adjustments to this alternative schedule, for example to accommodate an appointment or when a work event alters hours, may be approved on an as needed basis by the Department Head. An appeal of any decision may be made to the Office of the City Manager.

Remote Work- Regular scheduled remote work may be requested by employees. Remote work allows employees to work at home, on the road or in a satellite location for up to one day per week as part of a regular schedule.

The City of Biddeford considers remote work to be a viable, flexible work option when both the employee and the job are suited to such an arrangement. Remote work may be appropriate for some employees and jobs but not for others. Remote work is not an entitlement, it is not a companywide benefit, and it in no way changes the terms and conditions of employment with The City of Biddeford.

Temporary remote work arrangements may be approved for circumstances such as inclement weather or if a child is home sick. These types of arrangements will be approved on an as-needed basis only, with no expectation of ongoing continuance. Other informal, short-term arrangements may be made for employees on family or medical leave to the extent practical for the employee and the organization and with the consent of the employee's health care provider, if appropriate. All informal remote work arrangements are made on a case-by-case basis, focusing first on the business needs of the organization.

Any remote work arrangement may be discontinued at will and at any time at the request of either the telecommuter or the organization. Every effort will be made to provide 30 days' notice of such change to accommodate commuting, child care and other issues that may arise from the termination of a remote work arrangement. There may be instances, however, when no notice is possible.

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Moved up [1]: The City of Biddeford considers remote work to be a viable, flexible work option when both the employee and the job are suited to such an arrangement. Remote work may be appropriate for some employees and jobs but not for others. Remote work is not an entitlement, it is not a companywide benefit, and it in no way changes the terms and conditions of employment with The City of Biddeford.¶

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Individuals requesting formal remote work arrangements must have a satisfactory performance record. Before entering into any remote work agreement, the employee, Department Head and Director of Human Resources will evaluate the suitability of such an arrangement, reviewing the following areas:

- Employee suitability. The employee and manager will assess the needs and work habits of the employee, compared to traits customarily recognized as appropriate for successful remote work.
- Job responsibilities. The employee and manager will discuss the job responsibilities and determine if the job is appropriate for a remote work arrangement.
- Equipment needs, workspace design considerations and scheduling issues. The employee and manager will review the physical workspace needs and the appropriate location for the remote work.
- Tax and other legal implications. The employee must determine any tax or legal implications under IRS, state and local government laws, and/or restrictions of working out of a home-based office. Responsibility for fulfilling all obligations in this area rests solely with the employee.

If the employee and Department Head agree, the Director of Human Resources will draft a remote work agreement to be signed by all parties. In the event that the Department Head and employee are not in agreement, the Director of Human Resources or City Manager will make the final decision.

On a case-by-case basis, The City of Biddeford will determine, with information supplied by the employee and the supervisor, the appropriate equipment needs for each remote work arrangement. The human resource and information system departments will serve as resources in this matter. Equipment supplied by the organization will be maintained by the organization. Equipment supplied by the employee, if deemed appropriate by the organization, will be maintained by the employee. The City of Biddeford accepts no responsibility for damage or repairs to employee-owned equipment. The City of Biddeford reserves the right to make determinations as to appropriate equipment, subject to change at any time. Equipment supplied by the organization is to be used for business purposes only. The telecommuter must sign an inventory of all The City of Biddeford property received and agree to take appropriate action to protect the items from damage or theft. Upon termination of employment, all company property will be returned to the company, unless other arrangements have been made.

The employee will establish an appropriate work environment within his or her home for work purposes. The City of Biddeford will not be responsible for costs associated with the setup of the employee's home office, such as remodeling, furniture or lighting, nor for repairs or modifications to the home office space.

Employees are expected to maintain their home workspace in a safe manner, free from safety hazards. Injuries sustained by the employee in a home office location and in conjunction with his or her regular work duties are normally covered by the company's workers' compensation policy. Remote work employees are responsible for notifying the employer of such injuries as soon as practicable. The employee is liable for any injuries sustained by visitors to his or her home worksite.

Remote work is not designed to be a replacement for appropriate child care. Although an individual employee's schedule may be modified to accommodate child care needs, the focus of the arrangement must remain on job performance and meeting business demands.

Remote work employees who are not exempt from the overtime requirements of the Fair Labor Standards Act will be required to accurately record all hours worked using The City of Biddeford's time-keeping system. Hours worked in excess of those scheduled per day and per workweek require the advance approval of the employee's supervisor. Failure to comply with this requirement may result in the immediate termination of the remote work agreement.

LUNCH / REST PERIODS

Rest breaks may be granted at the department head's discretion as a principle of sound personnel management, not as a right of employment. The policy governing breaks for City employees who work full-time is one (1) fifteen (15) minute break in the first half of the work shift and one (1) fifteen (15) minute break in the second half of the work shift. Break time may not be taken at the beginning or end of a work shift, immediately before or after lunch, accumulated or be applied towards an alternative work schedule.

On regular work day all nonexempt employees will be afforded a 30 minute paid lunch break.

Employees shall not consume alcoholic beverages and/or illegal drugs while on rest and/or lunch periods. Employees found in violation of this policy will be subject to disciplinary action up to and including termination of employment.

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NON-EXEMPT EMPLOYEE COMPENSATORY TIME/OVERTIME

Any non-exempt employee whose work dictates that they must work over forty hours in one work week must obtain written approval from their Department Head. In the event an employee is consistently working overtime without prior approval, this will be considered a performance issue and disciplinary measures will be taken.

When non-union, employees, who are not exempt from the Fair Labor Standards Act, ~~are required to work beyond, or in excess of, their established regular number of 40~~ hours, they shall ~~be paid time and one half for hours worked in excess of forty (40) hours per week~~ have those hours recorded in their compensatory time off bank at the rate of 1.5 times those hours. For the purpose of this section, “hours worked” shall mean hours actually worked, vacation, personal time and paid holidays.

~~As a general rule, occasional overtime work in excess of the established regular hours may be compensated for by compensatory time off if mutually convenient to the employee and the supervisor. No more than 40 hours of compensatory time off may be banked at any given time. This bank will be reconciled annually on July 1st and any time in the bank will be paid out to the employee. Negative hours will be zeroed out.~~

Non-exempt employee compensatory time will be paid at 100% at time of separation.

It is understood that salaried employees are paid on the basis of job responsibility and are expected to accomplish the work assigned to the position regardless of the hours required to do the work within reason.

VACATION

A. Each non-union, regular full time employee shall earn vacation pay on the following basis:

- a. 1 week after one year of service but less than five years
- b. 2 weeks after 5 years of service but less than 10 years of service
- c. 3 weeks after 10 years of service but less than 15 years of service
- d. 4 weeks after 15 years of service

B. Each non-union, part time employee working more than 20 hours but less than thirty hours per week shall earn vacation pay, prorated to their regularly scheduled hours, on the following basis:

- a. 1 weeks after 5 years of service

C. At the discretion of the City Manager or the Director of Human Resources, employees may be placed up to the level of the ~~ten~~ (10) year step in the vacation scale based on relevant prior work experience.

D. Employees who wish to take an entire week off will need to put 40 hours of vacation on their timesheet to be paid for forty hours. For individual vacation days, employees should put vacation time equal to their regularly scheduled hours for that day on their timesheet.

E. Vacation time shall accrue to coincide with the employee's anniversary date at the rate established in the table above. Vacation time is not earned until the full year has been worked.

F. Vacations shall be granted at such time or times as shall be mutually agreeable to the City and the employee, at the discretion of the Department Head. Vacation time will be available for use by the employee as it is earned. In cases of conflict, vacations shall be granted according to seniority in that department.

G. Unless requested by the City under an emergency situation, an employee shall not be allowed to work and be paid double his usual wage during a vacation period.

~~— An employee, who is entitled to four weeks or more vacation, is also entitled to compensation for the weeks in excess of three weeks in lieu of vacation time off. Compensation shall not exceed two weeks in any calendar year. The employee may request this compensation option to their Department Head. Requests for compensation must be submitted two weeks in advance and only one request may be submitted per accrual year. This privilege is extended at the sole discretion of the City Manager and shall be based on job performance, the financial condition of the city at the time of the request and other factors deemed to be fundamental to the legitimate business needs of the City. Employees hired after July 1, 2008 are not eligible for compensation in lieu of vacation time off. This section shall terminate on June 30, 2020.~~

H. Requests to carry forward unused vacation time must be approved by the City Manager and must be submitted at least two (2) weeks prior to the end of the employee's anniversary year. Vacation that is carried forward will be used hour-for-hour, however; the actual dollar value of the unused (carried) vacation time, paid under section E or G of this policy, shall coincide with the employee's hourly wage in effect upon the date the unused time is carried forward. No more than 80 hours can be carried over in any year.

H.1. An employee, upon terminating employment, shall receive payment for his accumulated vacation leave. In the event of the employee's death, his designated beneficiary shall receive the same monetary value of any remaining accumulated vacation leave; if no such beneficiary is filed in writing with the City, it shall be paid to the employee's surviving spouse and if no surviving spouse to his estate.

STUDENT LOAN REPAYMENT

Effective July 1, 2019, as an incentive to have Biddeford be an employer of choice, the City will offer a limited student loan repayment program. ~~This article shall terminate on June 30, 2022.~~

- 1) All employees are eligible for up to five (5) years of student loan repayment incentive. Each employee is allowed only one five (5) year incentive during their career. Upon notification by the employee to the City and proper documentation to demonstrate compliance with the requirements, the City will make monthly payments directly to the loan provider for the amount of the loan for sixty (60) consecutive months. The payments shall not exceed one hundred dollars (\$100.00) even if the monthly amount due exceeds that amount.
- 2) Any employee elected to receive this benefit pledges at least ten (10) years of service to the community. If the employee leaves prior to the conclusion of their tenth year, the employee shall pay back to the City ten percent (10%) of the funds paid by the city for each complete year (or part thereof) that employee did not meet the ten-year requirement. For illustration only, if an employee worked 7.5 years for the city, they would owe twenty percent ($10 - 7.5 = 2.5 \times 10\% = 25\%$) of the funds paid on their behalf. The City is explicitly authorized to collect those funds upon notice by the employee of separation via the remaining pay unless the employee has otherwise covered the cost.

APPENDIX A – COMPENSATION POLICY

1. **Pay levels:** the following pay levels shall be established for the non-union employees of the City:

Level 23

Finance Director
Police Chief
Public Works Director
Chief Operating Officer

Level 22

Fire Chief

Level 21

Assessor
Economic & Community Development Director
Waste Water Treatment Plant Superintendent

Level 20

*Building Supervisor (includes schools)**
Deputy Police Chief
Public Works Deputy Director
Director of Engineering

Level 19

City Clerk (including GA)
Human Resources Director
Recreation Director
Assistant Fire Chief
Deputy Finance Director

Level 18

*Deputy Director Econ & Com Development**
Director of Code Enforcement (includes Emergency Management Director)
Information Technology Directorⁱ
Deputy Director of Engineer
Deputy Fire Chief

Level 17

City Planner
Deputy Assessor
Operations Manager (Public Works)

Level 16

Staff Accountant
Comptroller
Deputy Human Resource Director
Staff Engineer

Level 15

Deputy Rec Director
Assistant to the City Manager

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Level 14

CDBG Administrator
Communications Coordinator
Economic Development Coordinator
Deputy City Clerk

Level 13

GIS Coordinator
GA Supervisorⁱ
Tax Collectorⁱ
Deputy Code Enforcement Director
Recreation Deputy Director

Level 12

Executive Assistant II
Office Manager
Safety and Training Coordinator

Level 11

Property Lister
Public Access Managerⁱ
Community Development Coordinator
Human Resource Specialist
Payroll Specialist

Level 10

Executive Assistant I
Code Enforcement Officer II
Surveyor
Engineering Tech
CALEA Planner

Level 9

Administrative Assistant II
Code Enforcement Officer I
Recreation Program Coordinator II/Acting Rec Director*

Level 8

Administrative Assistant I
GA Customer Service Clerk
Airport Managerⁱ
Public Access Technician II
Recreation Program Coordinator II
Management Analyst
Finance Clerk

Level 7

Administrative Clerk II
Recreation Program Coordinator I
Public Access Technician I

Level 6

Customer Service Clerk II
Administrative Clerk I

Level 5

Customer Service Clerk I

Level 4

Facilities Maintenance III

Level 3

Recreation III
Facilities Maintenance II

Level 2

Recreation II

Level 1

¹is not at a department head level

*not a position that is currently funded or under consideration

2. **Pay scale:** The City shall have a pay scale for all regular, non-union employees. The pay scale as of March 29, 2022 is included. The pay scale shall provide guidance for the initial placement of employees based on employment history. Annually, the City Council will determine and establish by resolve the change or 'aging' of the pay scale at the time of the annual budget adoption.
3. **Administration:** The various provisions of the pay plan shall be administered in accordance to the following:
 - a. New Employees. New employees will be placed on the appropriate pay level based on the position classification. The employee will also be placed at the appropriate step based on relative experience. All initial placement decisions will be reviewed and recommended by the Director of Human Resources and approved by the City Manager.
 - b. Promotions and Supervisory Appointments. An employee promoted shall be placed at the appropriate pay level for the new position. The employee will also be placed at the appropriate step based on relative experience. The exact adjustment shall be recommended by the Director of Human Resources and approved by the City Manager.
 - c. Transfers. No adjustment to an employee's salary shall be made when an employee moves laterally between positions in the same class grade.
 - d. Demotions. In the event of a demotion, the employee's wage rate will be altered, if necessary, to coincide with the new assigned class grade in accordance to the City's Personnel Policy entitled Classification and Pay Plan. The exact adjustment shall be recommended by the Director of Human Resources and approved by the City Manager.
4. **Merit Increases:** The City Council may, on a yearly basis, allow employees assigned to the pay plan an increase based on performance. Such performance must be evaluated by the employee's immediate supervisor during the preceding twelve (12) months recommending no increase or an amount not to exceed that which has been authorized by the City Council. However, at no time may an increase exceed the maximum rate of a class grade. Such increase, if granted, shall generally be effective on the first (1st) payroll in July unless a supervisor determines that some other date would assist to improve an employee's performance. (Such other date shall be after July

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1st but before the end of the fiscal year).

5. Reclassification Procedure: An employee whose job functions and/or level of skill that has been significantly altered as a result of a change in job duties may request consideration for reclassification according to the following procedure:

- The initial request will be submitted to the employee's department head.
- The department head will evaluate the request and recommend approval or disapproval to the City Manager.
- The City Manager will refer the request to the Director of Human Resources for evaluation and recommend approval or disapproval to the City Manager.
- The City Manager will then either approve or disapprove the request.
- The City Manager shall notify the City Council of any approved reclassifications.

6. Implementation: The City Manager shall implement the change to this Compensation Policy as authorized by the City Council and hereto in overseen by the Personnel Committee.

APPENDIX B- Pay Scale

<u>Level</u>	<u>Lowest</u>	<u>Highest</u>	<u>Level</u>	<u>Lowest</u>	<u>Highest</u>
<u>S1</u>	<u>\$32,178</u>	<u>\$42,463</u>	<u>H1</u>	<u>\$15.47</u>	<u>\$20.42</u>
<u>S2</u>	<u>\$33,872</u>	<u>\$44,698</u>	<u>H2</u>	<u>\$16.28</u>	<u>\$21.49</u>
<u>S3</u>	<u>\$35,654</u>	<u>\$47,050</u>	<u>H3</u>	<u>\$17.14</u>	<u>\$22.62</u>
<u>S4</u>	<u>\$37,530</u>	<u>\$49,526</u>	<u>H4</u>	<u>\$18.05</u>	<u>\$23.82</u>
<u>S5</u>	<u>\$39,506</u>	<u>\$52,133</u>	<u>H5</u>	<u>\$19.00</u>	<u>\$25.06</u>
<u>S6</u>	<u>\$41,585</u>	<u>\$54,876</u>	<u>H6</u>	<u>\$19.99</u>	<u>\$26.39</u>
<u>S7</u>	<u>\$43,774</u>	<u>\$57,764</u>	<u>H7</u>	<u>\$21.05</u>	<u>\$27.78</u>
<u>S8</u>	<u>\$46,077</u>	<u>\$60,805</u>	<u>H8</u>	<u>\$22.15</u>	<u>\$29.23</u>
<u>S9</u>	<u>\$48,503</u>	<u>\$64,005</u>	<u>H9</u>	<u>\$23.31</u>	<u>\$30.78</u>
<u>S10</u>	<u>\$51,056</u>	<u>\$67,374</u>	<u>H10</u>	<u>\$24.55</u>	<u>\$32.40</u>
<u>S11</u>	<u>\$53,742</u>	<u>\$70,920</u>	<u>H11</u>	<u>\$25.84</u>	<u>\$34.10</u>
<u>S12</u>	<u>\$56,571</u>	<u>\$74,653</u>	<u>H12</u>	<u>\$27.20</u>	<u>\$35.90</u>
<u>S13</u>	<u>\$59,548</u>	<u>\$78,582</u>	<u>H13</u>	<u>\$28.63</u>	<u>\$37.78</u>
<u>S14</u>	<u>\$62,682</u>	<u>\$82,718</u>	<u>H14</u>	<u>\$30.14</u>	<u>\$39.77</u>
<u>S15</u>	<u>\$65,981</u>	<u>\$87,071</u>	<u>H15</u>	<u>\$31.73</u>	<u>\$41.86</u>
<u>S16</u>	<u>\$69,455</u>	<u>\$91,654</u>	<u>H16</u>	<u>\$33.39</u>	<u>\$44.07</u>
<u>S17</u>	<u>\$73,110</u>	<u>\$96,478</u>	<u>H17</u>	<u>\$35.15</u>	<u>\$46.39</u>
<u>S18</u>	<u>\$76,958</u>	<u>\$101,555</u>	<u>H18</u>	<u>\$37.00</u>	<u>\$48.82</u>
<u>S19</u>	<u>\$81,008</u>	<u>\$106,900</u>	<u>H19</u>	<u>\$38.95</u>	<u>\$51.39</u>
<u>S20</u>	<u>\$85,272</u>	<u>\$112,527</u>	<u>H20</u>	<u>\$41.00</u>	<u>\$54.10</u>
<u>S21</u>	<u>\$89,760</u>	<u>\$118,450</u>	<u>H21</u>	<u>\$43.16</u>	<u>\$56.94</u>
<u>S22</u>	<u>\$94,484</u>	<u>\$124,683</u>	<u>H22</u>	<u>\$45.43</u>	<u>\$59.94</u>
<u>S23</u>	<u>\$99,208</u>	<u>\$130,918</u>	<u>H23</u>	<u>\$47.69</u>	<u>\$62.94</u>

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Personnel Committee

Meeting Date: Tuesday, June 21, 2022

Meeting Time: 4pm

Agenda Item No: 3.6

Item Description: Nonunion wages

Submitted by: Diana DePaolo

Executive Summary:

Annually, nonunion employees are given wage increases effective July 1st. The suggested raises for this year are 3% for nonexempt employees and 4% for exempt employees.

Detailed Review:

Nonexempt employees will be moving to a 36 hour work week by July 1 and exempt employees will still be expected to maintain the 45-50 hour work week they currently work. For this reason a slight difference in wage increases is recommended. The recommendation, given the current market, is for non-exempt employees to receive a 3% increase and exempt employees receive a 4% increase. These increases would be effective July 1, 2022.