

EFFICIENCY MAINE TRUST

Personnel Manual

For Non-State Employees



~~October 17, 2019~~~~September 22, 2021~~October 22, 2025

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[ATTACHMENT A: MARYLAND PERSONNEL POLICY ADDENDUM](#)

ATTACHMENT B: TENNESSEE PERSONNEL POLICY ADDENDUM

PERSONNEL MANUAL FOR NON-STATE EMPLOYEES OF EFFICIENCY MAINE TRUST

PURPOSE

This manual sets forth principles and practices of employment under which employees of Efficiency Maine Trust (hereinafter referred to as the Trust) are expected to give their best service. It clarifies the organization's employment policies so that each employee may be treated fairly and equitably. This manual applies to employees who are non-state employees.

The effective operation of the Trust depends on the integrity and competency of its employees and implementing the Triennial Plan adopted by the Board of Trustees. Overall policy is set by the Board of Trustees and administered by the Executive Director. The Trust reserves the right to amend, alter, and make exceptions to these policies and procedures at any time. Statements or actions by any employee or agent of the organization that are contrary to these policies are not authorized and, to the maximum extent allowable by law, shall not be binding on the organization. To the extent there exists any conflict with the policies or a provision of this manual as a result of a change in local, state, or federal law, such laws take precedence. The Trust reserves the right to interpret the policies in this manual in its sole discretion.

This document is distributed for informational purposes and does not constitute a contract between the Trust and its employees. This manual supersedes and replaces all previous employee manuals, memos, and individual policies that have been issued on subjects covered in this manual.

RESPONSIBILITY FOR THIS POLICY

The Trust Executive Director is responsible for ensuring the efficient use of systems according to this policy. The interpretation of appropriate use and future revisions of this policy are the responsibility of the Executive Director.

ADOPTION OF THIS POLICY

On , 2025, the Board of Trustees at a regular business meeting adopted this revised policy and authorized the Executive Director to implement the policy and to make technical and minor changes without seeking additional authorization of the Board.

WORKING AT EFFICIENCY MAINE TRUST

EQUAL EMPLOYMENT OPPORTUNITY

The Trust affirms that all persons are entitled to equal employment opportunity, regardless of race or color, sex, sexual orientation, gender identity, pregnancy, physical or mental disability, religion, age, genetic information, ancestry or national origin, ancestry, whistleblower activity, previous assertion of a claim or right under the Maine Workers' Compensation Act, ~~or~~ marital status, service in the uniformed services, or any other status protected under applicable federal, state, or local law.

Specifically:

- Employment opportunities are and shall be open to all qualified applicants solely based on their experience, aptitudes and abilities; and
- Advancement is and shall be based entirely on the individual's achievement, performance, ability, attitude and potential for promotion.

This policy of non-discrimination applies throughout every aspect of the employment relationship, including, but not limited to, recruitment, selection, placement, advancement, training, discipline, compensation, transfer, layoff, and termination.

DEFINITIONS

- 1. At-will employment.** – An employment relationship that may be terminated by the employer or the employee at any time, with or without cause, and with or without prior notice.
- 1.2. Exempt position** - An exempt position is a position paid on a salaried basis that is exempt from overtime compensation.
- 2.3. Non-exempt position** - A non-exempt position is a position that is paid hourly, with overtime paid for time worked beyond **40 hours during the work** week.
- 3.4. Full-time employees** - Full-time employees are regularly scheduled to work at least 35 hours a week. Full-time employees are eligible to receive all benefits being provided to employees of the Trust consistent with the terms of those benefits.
- 4. Part-time employees** - Part-time employees are regularly scheduled to work ~~between 24 and less than~~ 35 hours a week. Part-time employees are eligible to receive prorated benefits being provided to employees of the Trust consistent with the terms of those benefits if they work 24 hours or more a week. The proration will be based on the assigned hours relative to a 40-hour work week.
- 5. Temporary employees** - Temporary employees are hired to work fewer than 26 consecutive weeks; temporary employees may be exempt or non-exempt and full-time or part-time. Temporary employees are not hired subject to a contract between the Trust and the employee. Temporary employees are not eligible to receive benefits except as required by applicable law.
- 6. Contract employees** – Contract employees are hired for a set period under the terms of a contract between the Trust and the employee. The terms of the contract may control the

amount of pay and benefits paid and other conditions of employment. Contract employees are eligible to receive benefits depending upon their status as full- or part-time employees consistent with the terms of their contract.

7. **Limited period employees** – Limited period employees are hired for a set period longer than 26 consecutive weeks and are subject to other limitations on the term of the employment, such as the funding source or completion of a project. Limited period employees are not hired subject to a written employment contract. Limited period employees are eligible to receive benefits consistent with their status as full or part time employees.
- ~~8. **Compensatory time** – Compensatory time (comp time) is the grant of time-off with pay in lieu of overtime pay to compensate the employee for time worked in excess of more than 40 hours in a work week.~~
- 9.8. **Regular employees** – Regular employees are those whose employment is not subject to limitations on time or project completion. Regular employees may be exempt or non-exempt and full or part time. Due to limitations on their employment, temporary, contract and limited-period employees are not considered regular employees.
- 10.9. **Probationary period** –The probationary period is a six-month period beginning with the first day of work during which the employee’s performance is evaluated.
- 11.10. **Active employment** - Employment status is considered active when an employee is engaged in work activities and is receiving regular wages.
- 12.11. **Voluntary separation** – A voluntary separation occurs when an employee chooses to leave their position at the Trust.
- 13.12. **Involuntary separation** - An involuntary separation occurs when the Trust determines that it is in its interest to have the employee leave their position.
- 14.13. **Layoff** – A layoff occurs when the Trust determines that it lacks the funding or a business need to maintain an employee’s position or that a particular project for which the employee was hired is completed.
- 15.14. **Notice of Employment** – A notice from the Trust to new employees that includes confirmation of the position, starting salary, effective date of employment, and any other matters agreed to in the employment negotiations. This notice is not a contract for employment.
- 16.15. **Personnel Directory Information** – Information about an employee that is available to the public, including but not limited to name, title, office telephone number, fax number, and supervisor’s name.
- 17.16. **Personnel Confidential Information** – Information about an employee that is not available to the public and generally includes but is not limited to home address, home phone number, personal mobile number, salary, job performance review, personnel actions including disciplinary actions, termination notices. Should a legal determination be made that any or all this information is public and not confidential, that determination will control the Trust’s response to any request for such information.
- 18.17. **Client or Customer Confidential Information** – Information about a client or customer that participated in a Trust program that is confidential as defined in Maine law at 35-A MRS

Sec. 10106, in Maine’s Freedom of Access Act, or pursuant to a protective order by the Maine Public Utilities Commission or court of law.

EMPLOYMENT STATUS

The following apply to all non-state employees of the Trust unless otherwise agreed in writing. Employment is divided into two broad classifications based upon an employee's job description and responsibilities, which in turn determine the basis for compensation:

- An **exempt** position; or,
- A **non-exempt** position.

Exempt employees are expected to work the amount of time required to do their job. Exempt employees are not eligible for the payment of overtime. Exempt employees who consistently work more than 40 hours per week may request an adjustment in their daily work schedule. An adjustment in daily work schedule is at the sole discretion of the Trust and the grant or denial of a request shall not constitute a precedent or labor practice for determining the outcome of future requests.

Compensatory time is neither offered nor permitted for any employees. Employees may not claim future paid time off for excess hours worked during a work week nor may they be granted the use of compensatory time or other non-worked and paid time due to the accumulation of time worked more than 40 hours in any work week.

Exempt and non-exempt positions may be full-time, part-time, temporary, contract or limited period employees as defined above. An employee's status as full time, part time, temporary, contract or limited period employees will determine that employee's access to the Trust's fringe benefit package. That access is further defined by the employee's status as an active or inactive employee. For employees who take leaves of absence, the continuation of benefits depends upon the type of leave taken and any controlling statutes.

Employment status is considered **active** when an employee is engaged in work activities and is receiving regular wages. Active status is retained through absence from work for up to 90 calendar days. Unless covered by FMLA, any absence of 90 calendar days or more will result in **inactive** employment status, during which paid time off, and holiday time benefits are neither earned nor paid.

Conditions of Employment

Unless an employee has a written employment agreement addressed to the employee and signed by an authorized representative of the Trust which limits rights of termination, employment is **at will** and nothing in this handbook can be construed to contradict, limit, or otherwise affect the employer's or employee's right to terminate the employment relationship at any time with or without notice or cause. Employment at the Trust is at will unless a written and authorized employment contract is in place. Continued employment is subject to the availability of funding and satisfactory work performance. All employees are expected to maintain a positive work environment free of harassment or hostility. Employees who create a hostile work environment, or engage in unlawful discrimination or harassment in violation of the State of Maine Policy Against Harassment, the Maine Human Rights Act, or applicable federal laws prohibiting discrimination and harassment, will be disciplined, and may be separated from employment at the Trust.

It is the Trust's intent that supervisory staff will provide employees with notice of deficiencies and opportunity for improvement via a plan of correction developed by the supervisor with the employee. Immediate dismissal may occur when the employee's action or inaction seriously jeopardizes the Trust as an organization, other employees, or the public interest toward which our mission is directed as determined in the sole discretion of the Trust.

Executive Director

The Executive Director is employed by and accountable to the Trust's Board of Trustees. The Executive Director has the authority to hire, assign, and terminate employees. The Executive Director also has the responsibility to assure that all Trust employees are treated equitably and fairly and with respect and dignity consistent with these policies. The Executive Director has the authority to designate another staff member to act in their place for either unlimited or limited periods of time, and for all or select duties and responsibilities, especially when the Executive Director will be out of the office for an extended period, such as vacation, extended sick or disability time or other extended absences.

Notice of Employment

Each new employee will receive a notice of employment from the Trust. The letter will include confirmation of the position title, starting salary, effective date of employment, and any other matters agreed to in the employment negotiations. This notice is not a contract for employment but is meant to assure that the new employee and the Trust have a shared understanding of the terms under which the employee has been hired. The employee will sign and return a copy of the notice which will become a part of the employee's personnel file.

Probationary Period

Each employee will be hired for a probationary term of six months from the date of hire. The employee may be involuntarily separated from employment during the probationary period for failure to adequately perform. -The employee will receive pay and benefits agreed upon at the beginning of employment. During and at the end of the probationary period there will be an evaluation of the job performance in conformance with the job description.

Regular status will begin upon successful completion of the probationary period. If the employee does not successfully complete the probationary period, the employee is subject to dismissal, or the probationary period may be extended to allow the employee the opportunity to improve areas of deficiency. The Executive Director has the authority to extend the probationary period if it is in the interest of the Trust to do so. Successful completion of the probationary period does not alter an employee's at-will status.

Managing Job Performance

The Trust ties together several methods to help employees do their best work. The process starts at the time of hiring and continues throughout employment at the Trust.

- 1. Orientation:** There shall be an orientation upon starting work at the Trust. That orientation should include such things as job description, job training, work goals and priorities, and a general overview of the Trust policies and rules.
- 2. Evaluation:** The Trust evaluation process is a systematic approach to managing work performance to meet the employee's need to know what is expected and how well the employee is performing. It is a positive approach to achieving both productivity and job satisfaction. If the review demonstrates that some competencies or skills need improvement, the employee and their supervisor will develop a plan on how that improvement can occur. The evaluation may be a formal written evaluation or an informal written review. Each new employee will be provided a job description during the onboarding process. After an employee has completed a satisfactory probationary period and achieves regular employment status, that employee will be provided a job performance at least annually on or about the employee's anniversary date. If a significant performance issue arises, a supervisor will respond immediately and provide verbal and/or written warning regarding the issue. At any time, the Trust may also document job performance issues in an employee's personnel file. The Trust reserves the right, in its sole discretion, to bypass any steps in the disciplinary process and to proceed immediately to greater discipline, including termination, if warranted by the circumstances in the sole discretion of the Trust.
- 3. Promotion:** The individual development and growth of each employee is encouraged. The employee is ultimately responsible for their own job proficiency and career development and is encouraged to seek the advice of their supervisor regarding interests and qualifications, or training for additional responsibilities.

Accepting Gifts

It is against Trust policy for an employee to accept gifts from any person or business that conducts business, or may foreseeably expect to conduct business, with the Trust. Conduct of business in this provision means offering goods or services for pecuniary benefit or applying for and receiving technical or financial assistance from the Trust, provided that such assistance that is available on a "first come first served" basis does not constitute conduct of business.

For the purpose of administrative guidance, gifts do not include advertising items of nominal value such as calendars, pens, or pencils. However, goods and services which involve a pecuniary benefit should be considered to be gifts. Further, receipt of gifts from family members or from individuals with whom the employee has a relationship that pre-dates employment at the Trust is allowed.

Code of Ethics and Conduct

Employees of the Trust will be guided by the standards of the Code of Ethics and Conduct adopted by Executive Order 10 FY88/89 dated April 1, 1989 and incorporated into the State Personnel Policy & Practices Manual at section 6.4 pending any action that the Trust may take to draft and adopt its own code of ethics and conduct.

WORK ENVIRONMENT

Hours of Work

The Trust is open for business between the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday. The standard work week for full-time employees is 40 hours. The Trust defines part-time employees as regularly working 24 to 35 hours a week.

It is expected that non-exempt staff will not be working before or after their regular work schedule unless the Executive Director, or the Executive Director's designee, has given advanced approval. Due to the nature of the Trust's work, it may be necessary at times for an employee to work overtime or to change scheduled hours. This means that the employee must occasionally be flexible in their work schedule. Employees must accurately record all time worked so that they may be compensated correctly. Unauthorized overtime is not permitted and may result in discipline. All schedules and compensation will follow federal and state laws.

Exempt employees are not eligible for the payment of overtime. Exempt employees who consistently work more than 40 hours per week may request an adjustment in their daily work schedule. An adjustment in daily work schedule is at the sole discretion of the Executive Director and the grant or denial of a request shall not constitute a precedent or labor practice for determining the outcome of future requests.

Telecommuting

It is the policy of the Trust to support telecommuting opportunities for employees in appropriate circumstances. Telecommuting has the potential to provide benefits by reducing energy consumption and decreasing environmental impacts, including greenhouse gas emissions. In appropriate circumstances, telecommuting may increase productivity through better time management and work quality and improve employee morale, which can improve employee retention and recruitment. It can also reduce the use of sick or personal time off (PTO).

The Trust has two office locations, one in Augusta and one in the greater Portland area. The Executive Director will assign employees to be based in one location, depending on where the employee resides and/or job duties and responsibilities. one day of the week as the day on which all staff are expected to work from the central office for an "All Staff Meeting" and other weekly team meetings. For the other days of the work week, Unless otherwise authorized by the Executive Director, all employees of the Trust are expected to come into the office at least three days per week. Exceptions may be made at the discretion of the Executive Director, and those exceptions will be made on a case-by-case basis, in consultation with appropriate supervisor(s) and colleagues, based upon seniority; record of quality, independent work; nature of the work; infrequent in-office paperwork and/or financial transactions; and infrequent in-person meetings, site visits, and/or in-person customer or trade ally meetings.

Fully remote staff will be expected to attend in-person meetings two to six times per year, as well as be fully accessible during the core business hours of 8:00 a.m. to 5:00 p.m. Eastern Time. the Executive Director may approve a Flexible Telecommute Assignment, which will consist of the number and specific

~~days of the week that the employee is expected to telecommute, subject to retaining flexibility regarding meetings held at the office or outside the office.~~

~~Employees who reside within 10 miles of the satellite office, measured using the most direct route, are expected to work from that office on days that they telecommute, unless an exception is made by the Executive Director. Employees residing 10 or more miles from the satellite office are expected to work from their home on days that they telecommute. On all other work days, an employee is expected to work from the central office.~~

On a day that an employee must travel for a work-related meeting or event outside of the office, it is expected that the employee will commute to the office location that is closest to the location of the meeting or event ~~and that this will determine the employee's Flexible Telecommute Assignment for the specific day of travel.~~ Reimbursable miles of a work-related meeting or event outside of the office are the total miles traveled to and from the work event from the applicable office location. ~~minus the~~ The miles the employee travels, or would have travelled, commuting to the office closest to the meeting or event is not work travel and therefore not reimbursable, and time spent commuting is not considered working time. Moreover, if there is an organized event for staff, the location of that event will be the official office location for that day and therefore travel to that location is also considered commuting, not working time, and the mileage will not be reimbursed.

Employees who work from home are responsible for assuring the protection of any confidential or personal information as well as the equipment assigned to them. Given the vulnerability of security on wireless networks, the exchange or transmission of confidential or otherwise protected information over an unsecured internet connection is prohibited unless all other means of communication have been exhausted and transmission of the information is extremely urgent. In general, transmission of sensitive information should be limited when using public wireless systems.

Incident Weather

The Trust office will be closed when determined by the Executive Director or designee due to inclement weather. When an inclement weather closing is anticipated and working from home is practical, Trust staff is expected to take home whatever materials and equipment is necessary and to work from home.

Emergency Closings

If the office is officially closed prior to or during the workday due to inclement weather or other emergency condition, the employee will be paid for all hours normally scheduled to work on such days full day's pay. If a non-exempt employee is called in during or needs to remain after an emergency closing ~~and is eligible for overtime pay,~~ the employee will be paid at overtime rates for any approved hours worked after the organization has closed. This does not include time worked from home when the office is closed for emergency; such time shall be paid at the normal rate.

The decision to close the office will be made by the Executive Director or the Executive Director's designee. Employees will be notified of closings by a supervisor, or a general e-mail notification circulated to employees.

Attendance and Promptness

The employee must advise their supervisor as soon as possible if the employee is going to be absent or more than one-half hour late. If an absence is due to illness that extends to more than three (3) consecutive days, the supervisor may request medical documentation from the employee's attending physician, as well as a medical authorization to return to work.

Meal / Rest Periods

The Trust complies with applicable federal, state, and local laws by providing rest and meal break periods. In addition, the Trust will comply with all laws concerning lactation breaks for nursing mothers.

Non-exempt employees who work more than six consecutive hours per workday must take an unpaid 30-minute break during their workday. This 30-minute break period may be used as a mealtime for the employee. Non-exempt employees may take two paid 15-minute breaks over an 8-hour period.

Work Attire

The Trust's office is accessible to the public and employees also perform several duties and attend meetings outside of the office. Employees' attire and appearance should be appropriate for a given occasion. The standard for office attire is business casual. The following clothing items are not considered appropriate business casual attire: sweat clothes, workout attire, shorts, flip-flops, and ripped, torn or unclean clothing or other attire that projects a less than professional appearance.

Personal Calendars

Each employee will have shared access to personal calendars maintained on Microsoft Outlook (or an equivalent program). Employees are responsible for maintaining their personal calendars up-to-date, especially with planned time out of the office or work from home dates.

Each employee should plan as much as possible and update their calendar when that employee will be out of the office for:

- Work at home;
- Work at other locations when the employee will not be in the office; or,
- Time off - whether paid or unpaid.

Employees should notify their supervisor and the Administrative Secretary when they are out due to illness. Employees should update their calendars and the Administrative Secretary will send a notification email to the staff concerning the absence only.

Safety and Health

The Trust provides a safe and healthy work environment. Each employee has a responsibility to ensure that safety and health considerations are an integral part of all operations, thereby preventing injuries, health hazards, and property damage.

Despite these precautions, an employee may have an accident and be injured on the job. If this occurs, the employee should immediately notify their supervisor, regardless of the injury's severity. Supervisors who are aware of an accident will take responsive action to assist the employee and decrease the likelihood of other similar or further injuries.

The supervisor who has received notice of an injured employee will immediately inform the Human Resources Coordinator or Manager, who will initiate necessary Workers' Compensation forms.

Smoking

For the good health of all who work at or visit the Trust, smoking is prohibited in the Trust offices, and at its functions. Smoking is prohibited within an area of approximately 20 feet from any building entrance or window and as otherwise prohibited either by law or the owner of space leased by the Trust.

Firearms and Weapons

The use, sale, distribution, possession or presence of firearms or weapons on the premises of the Trust is prohibited.

Drug-Free Workplace

Alcohol may be consumed, when and where appropriate during social events on the premises of the Trust offices that are sanctioned by the Executive Director. Otherwise, the use of alcohol in the workplace or during work time is strictly prohibited.

The "Drug-Free Workplace Act of 1988" requires that grantees of federal agencies and most federal contractors certify that they will provide and maintain a drug-free workplace. The Trust maintains a strong commitment to provide a safe and healthy environment for its employees and the public they serve. Consistent with that commitment, the Trust will implement this policy for all employees to ensure a work environment free from the effects of drug abuse.

The Trust retains the right and responsibility to expect each employee to report for work and to perform their duties in a manner which does not jeopardize the health and safety of co-workers and the public. Work performance impaired by alcohol or drugs poses a threat to the well-being of employees and the public. Some of the drugs which are illegal under federal, state or local laws include marijuana, heroin, hashish, cocaine, hallucinogens, and depressants and stimulants not prescribed for current medical treatment by an accredited physician.

Employees may voluntarily seek assistance in dealing with drug or alcohol problems through the Employee Assistance Program (EAP). The EAP will provide consultation and referral to an appropriate treatment

resource. Any employee may participate in the Employee Assistance Program without jeopardizing their employment status. However, voluntary participation in the Employee Assistance Program will not diminish appropriate disciplinary action for a violation of this or other policies.

Any employee who is under the influence of alcohol or illegal drugs on the job has the potential for disrupting their own, as well as co-workers', safe and efficient performance of duties. Employees under the influence of alcohol or illegal drugs on the job may be subject to disciplinary action up to and including termination of employment.

The illegal manufacture, distribution, dispensing, sale, use or possession of narcotics, drugs, or controlled substances is strictly prohibited on the job or in the workplace and shall constitute a dischargeable offense. Any illegal substance found in the workplace will be turned over to the appropriate law enforcement agency and may result in criminal prosecution.

Any employee who is convicted of a criminal drug statute violation occurring on the job or in the workplace shall notify the Executive Director no later than five (5) days after such conviction.

When any such convicted employee is paid from federal funds the organization shall notify its federal funding agency within ten (10) days after receiving such notification. Upon notification of such a conviction, it shall be the responsibility of the Executive Director to terminate the employee.

It shall be the responsibility of the Trust to:

- (a) Advise and inform all employees of the dangers of drug and alcohol use and abuse on the job or in the workplace; and
- (b) Advise and inform all employees of the Employee Assistance Program and rehabilitation services.

It shall be the responsibility of each employee to abide by the terms of this work rule.

Expectations of Behavior

Employees of the Trust have frequent interaction with local, state, and federal government officials and elected representatives, business representatives, public interest groups, the media and the general public, as well as fellow employees. All employees are expected to conduct themselves in a professional and business-like manner. Employees are expected to avoid situations that may create a conflict of interest and are expected to act in such a way as to not compromise the organization's effectiveness.

[Employees participating in procurement review teams will be required to sign the Trust's "Review Team Confidentiality and Conflict of Interest Statement." Employees with a real or perceived conflict of interest will be excluded from the applicable review team.](#)

Separation from Employment

There are various ways employment with the Trust could be interrupted or terminated: voluntary separation, involuntary separation, layoff, and administrative leave of absence:

1. **Voluntary separation** – A voluntary separation occurs when an employee chooses to leave their position at the Trust. The Trust requests that such a termination should be accompanied by a letter of resignation or retirement and include a minimum two-week notice. However, an eight-week notice is encouraged, particularly from employees with two (2) or more years of tenure at the Trust. The Trust is a small organization; eight-week notice will help prepare for the transition, provide an opportunity to share the workload, and draft detailed instructions on work processes to the team. Employees may not work out their notice period using paid time off. The Trust shall pay separating employees their earned and available paid time off through their separation date.
2. **Involuntary separation** - An involuntary separation occurs when the Trust determines that it is in its interests to have the employee leave their position at the Trust. Such a termination is generally immediate in nature, although the Executive Director may determine that another date is appropriate. Separating employees will be paid their earned and available paid time off through their separation date;
3. **Layoff** – A layoff occurs when the Trust determines that it lacks the funding or business need to maintain an employee’s position or that a particular project for which the employee was hired is completed. In the event regular positions must be cut due to lack of funding or business need the Trust will provide incumbents with as much advanced notice as possible, given the circumstances. The Trust intends to provide minimum 30 days’ notice but reserves the right to provide a shorter notice period if circumstances warrant. The layoff notice will provide the employee with information about any separation package, if such a package is available. The Trust shall pay separating employees their earned and available paid time off through their separation date.
4. **Administrative Leave of Absence** -- The Executive Director may, at any time, place an employee on Administrative Leave of Absence, with or without pay, upon making a finding that a possible violation of policy or lawthe provisions of the Personnel Manual has occurred or as otherwise necessary as determined in the sole discretion of the Trust. Decisions regarding such finding, whether the leave will be paid, the duration of leave, and the conditions for returning from leave are in the discretion of the Executive Director.

ANTI-HARASSMENT POLICY

All Unlawful Harassment Prohibited

The Trust prohibits and will not tolerate unlawful harassment against individuals because of race, color, religion, national origin, ancestry, sex (including pregnancy), sexual orientation, gender identity, age, physical or mental disability, citizenship, genetic information, past, current, or prospective service in the uniformed services, or any other characteristic protected under applicable law.

Sexual Harassment

All Trust employees and others doing business with, receiving services from, or providing services to, the Trust, including vendors, customers, and visitors are prohibited from harassing employees and other covered persons based on that individual's sex (including pregnancy), sexual orientation or gender identity, and regardless of the harasser's sex or gender.

Sexual harassment means any harassment based on an individual's sex or gender. It includes harassment that is not sexual in nature (for example, offensive remarks about an individual's sex or gender), as well as any unwelcome sexual advances or requests for sexual favors or any other conduct of a sexual nature, when any of the following is true:

- Submission to the advance, request or conduct is made either explicitly or implicitly a term or condition of employment;
- Submission to or rejection of the advance, request or conduct is used as a basis for employment decisions; and/or,
- Such advances, requests or conduct have the purpose or effect of substantially or unreasonably interfering with an employee's work performance by creating an intimidating, hostile or offensive work environment.

The Trust will not tolerate any form of sexual harassment, regardless of whether it is:

- Verbal (for example, epithets, derogatory statements, slurs, sexually related comments or jokes, unwelcome sexual advances or requests for sexual favors);
- Physical (for example, assault or inappropriate physical contact);
- Visual (for example, displaying sexually suggestive posters cartoons or drawings, sending inappropriate adult-themed gifts, leering, or making sexual gestures); and/or
- Online (for example, derogatory statements or sexually suggestive postings in any social media platform).

This list is illustrative only.

Harassment is prohibited at all times and places relating to work, including but not limited to, both at the workplace, ~~and~~ at employer-sponsored events, off-site, and online.

Other Types of Harassment

The Trust's anti-harassment policy applies equally to harassment based on an employee's race, color, religion, national origin, ancestry, age, physical or mental disability, citizenship, genetic information, past, present, or prospective service in the uniformed services, or any other characteristic protected under applicable law.

Such harassment often takes a similar form to sexual harassment and includes harassment that is:

- Verbal (for example, epithets, derogatory statements, slurs, derogatory comments or jokes);
- Physical (for example, assault or inappropriate physical contact);
- Visual (for example, displaying derogatory posters, cartoons, drawings or making derogatory gestures); and/or
- Online (for example, derogatory statements or sexually suggestive postings in any social media platform).

This list is illustrative only.

Harassment is prohibited at all times and places relating to work, including but not limited to, both at the workplace, ~~and~~ at employer-sponsored events, off-site, and online.

Complaint Procedure

If an employee is subjected to any conduct that they believe violates this policy or witness any such conduct, they must promptly speak to, write, or otherwise contact their direct supervisor or, if the conduct involves their direct supervisor, the Executive Director or Deputy Director.

The obligation to report incidents of discrimination and harassment extends not only to employees experiencing the conduct directly, but also to employees who are aware of any such conduct. Employees can make reports without fear of reprisal or retaliation.

Any employee making a report should prepare a written statement of events including dates, times, places, and names of witnesses, as well as any other relevant information. Supervisors who receive reports of discrimination or harassment must notify the Executive Director promptly and take interim corrective action as appropriate. Failure to do so will be considered a failure to fulfill the responsibilities of the position.

A prompt investigation of all reported allegations of harassment will be conducted in as confidential a manner as possible. The Executive Director, or their designee, may interview the complainant, the alleged perpetrator, and any witnesses and gather any relevant evidence. Cooperation in any investigation is expected of all employees. To the extent deemed appropriate by the Trust, the results of the investigation will be shared with the complainant and the alleged perpetrator. The Trust will give due regard to the sensitivity of the matter and the privacy of everyone involved, however, absolute confidentiality cannot

be guaranteed in the investigation process. Upon conclusion of the investigation, the Trust will take prompt corrective action, as appropriate.

No Retaliation

No employee will be subject to, and the Trust prohibits, any form of discipline, reprisal, intimidation, or retaliation for good faith reporting of incidents of harassment, pursuing any harassment claim, or cooperating in related investigations.

Responsibility

The Trust is committed to enforcing this policy against all forms of harassment. The effectiveness of our efforts depends largely on employees reporting inappropriate workplace conduct. All employees, including supervisors, have a responsibility for keeping our work environment free from harassment. Any employee who becomes aware of an incident of harassment whether by experiencing the incident, witnessing the incident or being told of it must promptly report it to their supervisor or to the Executive Director. The Trust has an obligation to take appropriate corrective action when it determines that unlawful harassment has occurred. If employees do not report harassing conduct, the Trust may not become aware of a possible violation of this policy and may not be able to take appropriate corrective action.

Violations of This Policy

Any employee, regardless of position or title, who is determined to have subjected an individual to harassment or retaliation in violation of this policy, will be subject to discipline, up to and including termination of employment.

REASONABLE ACCOMMODATIONS

Qualifying Reasons

Disability: The Trust is committed to complying with the Maine Human Rights Act (“MHRA”); and the Americans with Disabilities Act, as amended by the ADA Amendments Act, (“ADA”); and all applicable federal, state, or local laws. Consistent with those laws, the Trust will reasonably accommodate qualified individuals with a disability if such accommodation would allow the individual to perform the essential functions of the job and doing so would not create an undue hardship on the Trust.

Pregnancy: The Trust complies with the Pregnant Workers Fairness Act (PWFA) and will provide reasonable accommodations to qualified job applicants and employees to accommodate the individual’s known limitations related to pregnancy, childbirth, or related medical conditions, unless doing so would create an undue hardship on the Trust. The Trust will also not require a qualified employee to take paid or unpaid leave if another reasonable accommodation can be provided.

Religion: The Trust will provide reasonable accommodations for an employee’s religious beliefs or practices where appropriate under applicable federal, state, or local laws.

Requesting Reasonable Accommodations

Requests for reasonable accommodations must be submitted to Human Resources. A request may be made orally or in writing, and should at least include the following information:

- (1) a description of the accommodation an employee is requesting, and
- (2) the reason the employee needs an accommodation.

After receiving an oral or written request for a reasonable accommodation, the Trust will engage in an interactive dialogue with the requesting employee to determine the precise limitations and explore potential reasonable accommodations that could overcome those limitations. The Trust encourages employees to suggest specific reasonable accommodations that the employee believes would allow the employee to perform their job. However, the Trust is not required to make the specific accommodation requested and may provide an alternative effective accommodation after engaging in an interactive process, to the extent any reasonable accommodation can be made without imposing an undue hardship on the Trust.

COMPENSATION AND BENEFITS

Policy

It is the general policy of the Trust to pay wages that are competitive with what other organizations pay for comparable jobs and that are within the Trust's resources, to attract and retain excellent employees who perform well.

Payroll

Employees will be paid bi-weekly by check or direct deposit based upon the employee's submitted and approved bi-weekly time sheet. The employee's timesheet will be submitted to the supervisor before the last day of the payroll period, which shall run from Saturday through Friday. The timesheet will detail the employee's time worked, description of activity, paid time off and unpaid time off. The employee or senior management will allocate the paid hours to the program or programs where the employee is assigned and/or worked. If there is an error on the timesheet, either the supervisor or Human Resources Coordinator or Manager will return the timesheet to the employee with a description of the error. The employee will then fix the error and resubmit their timesheet for review and approval.

Detailed information about pay period earnings, year-to-date earnings and deductions from pay will be distributed with the bi-weekly payroll and is also available upon request. As required by law, federal and state income taxes, FICA (Social Security) tax, and other required payroll taxes or deductions must be withheld.

Employees should review their paychecks and the corresponding wage statements for errors. If there is a possible error, report it to the Human Resources Manager or Coordinator immediately. The Trust will correct any errors, including any under or overpayment, as soon as possible.

Overtime

The federal Fair Labor Standards Act and Maine law govern overtime pay, and non-exempt (hourly) employees are paid time-and-a-half for time worked over 40 hours in a single workweek. The Trust attempts to structure the work schedule so that overtime by hourly employees is not normally required. Due to the nature of the work of the Trust, overtime work may be necessary from time to time, especially to complete special projects.

For non-exempt employees, the Executive Director or the Executive Director's designee must approve in advance all hours more than 40 per week. Hours worked over 40 hours a week or hours worked on a paid holiday will be compensated as required by state and federal law. Overtime is paid only on total hours worked (hours attributable to paid time off are not included in calculating overtime).

Exempt employees are expected to work the hours necessary to meet the responsibilities of their positions without compensation for overtime. It is recognized that this may include working evenings, weekends, and holidays.

EXPENSE REIMBURSEMENT

The Trust's travel, mileage reimbursement and use of business credit card policies are fully stated in the Travel Policies. The purpose of those procedures and policies is to establish the requirements for the Trust payment of expenses for the Trust program and administrative business which require in-state or out-of-state travel.

TIME OFF

Holidays

The Trust observes ~~thirteen~~^{twelve} scheduled holidays for which the office is closed. A schedule of these holidays is published each December for the following calendar year. Provided that one is actively employed the day before and the day after the holiday, a full-time employee will be paid for these holidays. Part-time and temporary employees will be paid only if and only to the extent they are regularly scheduled to work that day.

New Year's Day	Martin Luther King, Jr. Day
President's Day	Patriot's Day
Memorial Day	<u>Juneteenth</u>
Independence Day	Labor Day
Indigenous Peoples Day	Veteran's Day
Thanksgiving Day	Thanksgiving Friday
Christmas Day	

Paid Time Off

In lieu of vacation, sick, and personal time, employees will be granted paid time off (PTO). Paid time off may be used for any reason and should be coordinated with and approved by supervisors to assure that the work of the Trust will continue with minimal disruption. Employees who need to use unplanned PTO must contact the office as soon as possible and report their absence to their supervisor. Should an employee exhaust their available PTO the employee may request the use of unpaid time off, subject to approval of the Executive Director or designee.

PTO will be granted on a fiscal year basis to full-time employees. PTO will be granted to part-time employees on a prorated basis of their assigned hours relative to a 40-hour work week. The Notice of Employment will include the amount of PTO being granted to each employee.

All employees will accrue earned and available PTO on a pay period accrual basis and will be able to use earned and available PTO with supervisor approval. The use of PTO more than an employee's earned and available PTO may be approved on an individual basis and will be netted against future earned and available PTO. The approval of such unaccrued paid time off is at the discretion of the Trust and, if approved, must be documented in writing by the Trust and the employee. Should an employee leave employment either voluntarily or by termination, ~~the employee will reimburse the Trust for the~~ excess unearned time used may be deducted from the employee's last paycheck in the sole discretion of the

Executive Director in accordance with applicable law. This provision may be waived by the Executive Director at his or her ~~their~~ sole discretion.

Employees may carry over earned and available PTO at the end of the fiscal year for six months only. At the end of the six-month period any unused PTO from the prior fiscal year will expire and be deducted from the employee's available time. The use of PTO is on an earned time basis, meaning that the PTO used starts from the earliest earned time.

The Trust's PTO policy is more generous than the requirements of the Maine Earned Paid Leave law, but at a minimum, the Trust's PTO policy is intended to comply with the base requirements of the Maine Earned Paid Leave law such that employees in all categories and classifications (including part-time and temporary) will be eligible to earn at least up to 40 hours of paid time per year at the rate of one hour of leave for each 40 hours worked. If a Maine-based employee of the Trust has earned, but has not used, a full 40 hours of PTO in a year, they may carry forward the difference between the PTO hours used and 40 to the next fiscal year regardless of the expiration date for other PTO.

Longevity Leave

Employees are eligible for up to two weeks (10 business days) of paid leave after every consecutive seven (7) years of service working for the Trust in addition to their regular PTO. Referred to as "longevity leave," this leave expires two (2) years from the anniversary of the employee's start date at the Trust when the employee becomes eligible for such longevity leave; at such time the employee forfeits the unused longevity leave. Employees can combine longevity leave with standard PTO leave. Longevity leave will be scheduled to prevent undue hardship to the business, as reasonably determined by the Trust. The Trust will make efforts to accommodate leave requests but may delay or deny requests if business needs require. The Trust offers longevity leave to advance multiple purposes. Chief The most important among these purposes are:

1. Promoting employee retention;
2. Promoting employee health and productivity through improved balance between workplace duties and personal priorities; and
3. Facilitating continued learning and growth, both professional and personal.

Employees do not need to use the full two (2) weeks of paid longevity leave, but the leave must be taken in at least one-week blocks (i.e., 5 consecutive business days). Employees must return to work at the Trust for at least six (6) months after completing longevity leave. ~~If an employee is voluntarily or involuntarily terminated prior to the end of this six (6) month period, the employee must repay the value of the used longevity leave.~~

Longevity leave cannot be cashed out at any time, including when employment is terminated.

Additional details on Longevity Leave procedures are available through supervisors or the Human Resources Manager.

Leaves of Absence

Parental Leave

Paid [parental leave is available for all gestational and non-gestational parents who meet the eligibility requirements of this policy](#). Paid parental leave is available to all employees who have been employed by the Trust for at least one (1) year. The paid parental leave options for all eligible employees are either up to four (4) weeks of leave at their regular pay, or up to eight (8) weeks of leave at half pay, to be taken within 365 days of the birth, placement for adoption, or placement of foster child(ren). Appropriate documentation must be provided (e.g. the same documentation required to add the child to the parent's medical insurance plan). In general, paid parental leave for ~~birth mother~~[the gestational parent](#) begins after the short-term disability leave (medical leave) portion of [maternity parental](#) leave is over. Paid time off for parental leave is considered part of the ~~1210~~ weeks' time off allowed under the [Maine Family Medical Leave law](#)~~Act~~. The contributions for health and/or dental insurance plans will continue through payroll deduction and the Trust will continue to pay its contributions towards those plans. Premiums for all other insurance plans paid fully by the Trust (e.g. short-term and long-term disability insurance, basic life insurance) will continue to be paid by the Trust.

Except in case of emergency, the employee must give notice to their supervisor and Human Resources Manager or Coordinator at least thirty (30) days prior to the date on which their parental leave is to begin and when they plan to return to work.

Family Medical Leave (FML) and Military Family Leave Entitlements Policy

The contents of this policy are adopted from the [State of Maine Family and Medical Leave Policy for Employees of Maine State Government](#). The Trust will use the State's policy as guidance in administering its own policy. Anyone contemplating the use of Family Medical Leave or Military Family Leave should discuss the issue and the policy with the Human Resources Manager or Coordinator as soon as practical.

The purpose of this policy, and the State and Federal Laws on which this policy is based, is to balance the family and work needs of the Trust employees by providing eligible employees up to 12, and in some circumstances 26, weeks of unpaid leave per year for family and serious health matters, with the assurance that they will be restored to the position, status, benefits, and benefit levels that were in effect for them immediately prior to their leave.

Leave under this policy is computed on a calendar year basis beginning on January 1 of each year, [except for military family leave entitlements described in subsection B below. The method for computing time for the purpose of caring for a covered service member is covered in the Military Caregiver Leave section of this policy.](#)

The provisions and benefits of this policy are available to all the Trust employees who, at the time the leave begins or is scheduled to begin, have at least one year of employment (at any time and in any position, including temporary positions). This time does not need to be consecutive. An employee who is not eligible for FML at the beginning of their leave may begin FML once they become eligible.

1. For permanent and limited period positions (full-time and part-time), the one-year employment requirement must include all periods of authorized leave, paid or unpaid. **Note: the number of hours of work is not a consideration. A part-time employee who works for 12 months satisfies the same eligibility requirements as a full-time employee who works for 12 months;**
2. For seasonal positions (full-time and part-time), the one-year employment requirement will include only those months worked during the season. Time on authorized leaves during the season must be counted as time worked for this purpose. As example, a seasonal employee who works four months per season would be eligible at the start of the fourth season;
3. For acting and project appointments to full-time and part-time positions, the one-year requirement must include all employment time from the begin date to the end date;
4. For intermittent positions, the one-year eligibility requirement will be met upon the completion of 2080 hours in intermittent status;
5. If an employee requesting FML for the serious medical condition of a domestic partner has not previously submitted documentation of the domestic partnership for health insurance purposes, the Department may require the documentation for the purposes of determining eligibility for FML; and
6. Once an employee is determined to be eligible for FML based on employment status, the medical certification process to determine whether they meet the necessary requirements for the type of leave being requested must be implemented.

Leave Provided by the Policy

- A. Eligible Trust employees are entitled to up to 12 weeks of unpaid Family Medical Leave each calendar year:
 - a. For pregnancy or birth of a son or daughter or a domestic partner's son or daughter and to care for the newborn child;
 - b. For placement with the employee or the employee's domestic partner of a son or daughter for adoption or foster care;
 - c. To care for the employee's spouse, domestic partner, son, daughter, sibling, parent, or domestic partner's son or daughter with a serious health condition;
 - d. Because of a serious health condition that makes the employee unable to perform the functions of the employee's job;
 - e. Because of any qualifying exigency arising out of the fact that the employee's spouse, domestic partner, son, daughter, or parent is a covered military member on active duty (or has been notified of an impending call or order to active duty) in support of a contingency operation; and/or,
 - f. Because of the donation of an organ by the employee for a human organ transplant.
- B. Eligible employees are entitled to up to 26 weeks of unpaid Military Family Leave Entitlements during a single 12-month period to care for a covered military service member with a serious injury or illness if the employee is the spouse, domestic partner, son, daughter, sibling, parent, or next-of-kin of the service member.
- C. Eligible employees are entitled to 15 days unpaid leave if the employee is the spouse, domestic partner or parent of a service member who is deployed for military service for a period lasting longer than 180 days when the duty assignment is in a combat theater or in an area where armed conflict is taking place.

D. Moreover, during the 12-weeks of unpaid Family Medical Leave and during unpaid military family leave described above, the Trust will continue to pay its contributions towards the health and dental insurance plans, and the premiums for all other insurance plans paid fully by the Trust (e.g. short-term disability insurance, long-term disability insurance, basic life insurance).

Paid Family and Medical Leave

Starting January 1, 2025, under Maine law any employer with at least one Maine-based employee must begin making certain payroll withholdings and making certain contributions for their employees for Paid Family and Medical Leave benefits. Beginning May 1, 2026, employees will be entitled to receive Maine Paid Family Medical Leave benefits when eligible. Leave taken under the Paid Family and Medical Leave law will run concurrently with, and not in addition to, other available forms of leave.

Military Leave

Employer requirements and employee rights associated with leave for military service are found in the federal *Uniformed Services Employment and Reemployment Rights Act of 1994* (USERRA) (U.S. Code Title 38, Ch. 43), and various Maine statutes.

Employees must be granted military leave to enter military service or participate in training, whether voluntarily or involuntarily, in peacetime or in wartime. The type and duration of military duty will determine whether the employee remains in pay status.

Military Leave with Pay: Employees are allowed up to 17 workdays in each calendar year without loss of pay or benefits when engaged in any form of military duty.

Military Leave without Pay: When military service exceeds the 17 workdays authorized for military leave with pay, the employee must be placed on unpaid military leave. Employees may use, but are not required to use, accrued PTO or other available accrued paid leave if applicable ~~vacation, compensatory, or personal leave~~ when entering unpaid military service leave. Provisions for the optional use of accrued PTO or other available accrued paid leave ~~vacation, compensatory, or personal leave~~ also apply to employees who are called to active state duty by the Governor.

Re-employment: The guiding principle of the USERRA and Maine law is that an employee performing military service is not to suffer any detriment in employment and should be treated as if they had not left employment. Employees who enter military service generally retain reemployment rights under both the *Uniformed Services Employment and Reemployment Rights Act of 1994* and Maine law. Exceptions are narrowly restricted to persons who hold temporary, non-recurrent employment. Although certain criteria are required for an employee to exercise their reemployment rights, denial of reemployment to a returning service member should be considered an extraordinary situation. The Executive Director should be consulted if any adverse action is contemplated.

An employee who enters military service on a short-term basis would generally be returned to the position that they left. Employees who enter military service on a long-term basis would be returned to the

position that they left or be returned to a position of like status and pay for which they are qualified. The Executive Director should be consulted if denial of reemployment for any reason is contemplated.

Upon the completion of military service (less than 31 days, including weekend drills) employees are also entitled to reasonable time for return travel, and an eight-hour period of rest, before returning to work. The allotted time to apply for reemployment increases incrementally, depending upon the length of military service.

Bereavement Leave

The death of someone close is an extremely difficult time. The Trust recognizes that it is usually better for an employee to be with family and friends than trying to work when thoughts are elsewhere due to the death of someone close to the employee. The Trust provides up to five (5) days off with pay in the event of the death of a partner or spouse, parent, child, or child in utero; up to three (3) days off with pay in the event of the death of a mother-in-law or father-in-law, brother or sister; and one (1) day off with pay in the event of the death of any other relative.

Jury Duty and Court Appearances

Anyone receiving jury duty notice is advised to notify their supervisor and the Human Resources Manager [or Coordinator](#) immediately upon receiving the summons. With the benefit of the month or so between the time an employee receives their summons and the start of their service, the Trust will proactively plan how to cover the employee's assignments, how to adjust schedules or targets, and whether the employee should seek to be excused or to defer service to accommodate any essential business deliverables or appointments. Leave for jury duty and court appearances shall be granted with pay with prior approval of the Executive Director, except for appearances in personal matters. Leave with pay shall not be granted [under this policy](#) in any personal action initiated by or against an employee that is not work related. The employee will be eligible for the net difference between their normal payroll for the day when jury duty or a court appearance is scheduled, and the amount received by the employee from the court or participants. The amount received will be reported to the Trust with a copy of the payment and the amount will be netted from the employee's next payroll.

Unpaid Personal Leave of Absence

Leaves may be approved for education or special and non-recurring events which require an employee's full-time attention. The request for a leave [should be](#) directed to the employee's supervisor, who will consider the employee's work record, performance, and work conditions at the time of the request. In most cases, a leave will be without pay, and paid time off will not accrue. (See "Employment Status" for more details.) Unless there is written agreement otherwise, the job of an employee on Personal Leave of Absence is not guaranteed when the employee returns from the leave. If positions for which the employee is qualified are not available, employment will be terminated, and the employee will be placed on a waiting list and given preference when such a position becomes available.

FRINGE BENEFITS

Retirement Plan

The Trust will provide employees with access to a 401(a)/457 retirement plan. Employees will be eligible to enroll and participate in the retirement plan (the “plan”) at the beginning of the next month following the completion of 30 calendar days of employment.

The Trust will match employee contribution up to a maximum of 5% of the employee’s earnings. Participation by the employee is voluntary and is restricted to the plan sponsored by the Trust. The match will only be made into the sponsored plan only, and employees who do not participate in the plan are not entitled to the forgone match through a cash payment, change in earnings or payment into another plan. Employees who participate in the plan but who do not contribute the full 5% match are not entitled to more than the match to their level of contribution through a cash payment, change in earnings or payment into another plan. Employees will be fully vested to receive the employer’s match on the first anniversary of their hire date.

Plan documents and a plan summary will be made available as required by law.

Section 125 Premium Only and Flexible Spending Plans

The Trust will provide employees with access to a section 125 premium only plan and flexible spending accounts for medical expenses and for childcare reimbursement up to the federal maximum.

Health Insurance Coverage

The Trust offers [the option to enroll in group](#) health insurance coverage to its full-time permanent employees. Health insurance coverage for part time employees will be subject to restrictions by the Trust’s health insurance provider. The Trust’s share of health insurance costs for part-time employees eligible for health insurance will be prorated based upon the employee’s assigned hours relative to a 40-hour work week. The premium more than the Trust’s share will be the employee’s responsibility. The Trust provides a cost share of coverage for the employee and for spouse or domestic partner, children and family plans which share will be determined on an annual basis. The amount of the Trust’s premium contribution is subject to change each anniversary date for the health insurance policy, and age of employee. An [employee becomes eligible for health insurance on the first of the month, following the date of hire \(subject to other eligibility requirements\). Coverage terminates on the last day of the month in which the employee worked unless otherwise agreed upon by the Executive Director.](#)

Health Insurance Deductible Cap

The Trust provides an employer-sponsored health insurance plan. The Trust negotiates its plan design annually and may elect to subsidize some or all the plan premiums. In addition, the Trust may elect to subsidize some or all the associated plan deductible or co-insurance costs via an affiliated Health Reimbursement Account. The Trust’s plan year begins on July 1 and ends on June 30.

The health plan deductible and the Trust's participation are subject to change each anniversary date for the health insurance policy.

Dental Insurance Coverage

The Trust offers dental insurance coverage for its full-time permanent employees. When [the employee is eligible](#), the Trust will pay the full cost for the employee coverage only and a portion of the cost of additional coverage for spouse, child, or family coverage. The Trust's share of dental insurance costs for part-time employees eligible for dental insurance will be prorated based upon the employee's assigned hours relative to a 40-hour work week. After the deductible is exhausted, the employee will be responsible for the remaining portion of the insurance premium. The Trust's participation is subject to change each anniversary date for the dental insurance policy. [An employee becomes eligible for dental insurance on the first of the month, following the date of hire \(subject to other eligibility requirements\)](#). Coverage terminates on the last day of the month in which the employee worked unless otherwise agreed upon by the Executive Director.

Life Insurance Coverage

The Trust offers each full-time employee life insurance approximately equal to [one year's](#) salary. The Trust's share of life insurance costs for part-time employees eligible for life insurance coverage will be prorated based upon the employee's assigned hours relative to a 40-hour work week. The Trust's participation in providing this coverage at its cost is subject to change each anniversary date for the life insurance policy. Coverage terminates on the last day of employment.

Short-Term Disability Insurance Coverage

The Trust will provide each full-time employee with short-term disability insurance coverage at the Trust's cost. The Trust's share of the short-term disability insurance costs for part-time employees eligible for short-term disability insurance coverage will be prorated based upon the employee's assigned hours relative to a 40-hour work week. The Trust's participation in providing this coverage at its cost is subject to change each anniversary date for the short-term disability insurance policy. [Coverage terminates on the last day of employment.](#)

Long-Term Disability Insurance Coverage

The Trust will provide each full-time employee with long-term disability insurance coverage at the Trust's cost. The Trust's share of the long-term disability insurance costs for part-time employees eligible for long-term disability insurance coverage will be prorated based upon the employee's assigned hours relative to a 40-hour work week. The Trust's participation in providing this coverage at its cost is subject to change each anniversary date for the long-term disability insurance policy. [Coverage terminates on the last day of employment.](#)

[The Trust reserves the right to modify, amend, or terminate any fringe benefit plan or policy.](#)

PROFESSIONAL ADVANCEMENT AND IMPROVEMENT

Employee-Requested Courses and Training

The Trust supports professional development for its employees, which may include challenging assignments; learning and networking on personal time; and learning and networking on work time. The Trust may contribute financial support towards continuing education when an employee's attendance at seminars, training workshops, or courses can be expected to help in the performance of their jobs.

Examples include:

- Attaining or maintaining an appropriate job certification;
- Attaining or maintaining an appropriate professional certification;
- Learning about new programs or policies that affect either the job or the Trust; and
- Learning about job-related activities or requirements.

To be considered for funding or time off from Efficiency Maine Trust, an employee must submit a request for approval prior to enrolling in a seminar, training workshop, or course. The request will be considered by the employee's supervisor and forwarded to the Executive Director for a decision. If approved, the Trust will either pay in advance for the seminar/workshop/course or reimburse the employee up to the approved amount. The employee is responsible for attending the event and may not be reimbursed or may be required to reimburse Efficiency Maine Trust if they do not attend if such contingency was documented in writing by the Trust and eEmployee as part of the approval.

The Trust sets aside an amount per employee (not including compensation) for paid professional development each year. In some cases, the Trust may provide up to two years' worth of funding for an individual who participates in a course or training workshop that exceeds that employee's allotment for a single year. For costs that exceed the annual amount set aside for individual employees, the employee may be required to reimburse a prorated portion of the funding if they leave the Trust before the end of the subsequent year if such contingency was documented in writing by the Trust and eEmployee as part of the approval to provide such funding.

Employment Related Seminars and Training:

The Trust supports employees' desire for continuing education when their attendance at seminars, and training sessions or courses can be expected to help in the performance of their jobs.

Considerations include:

- Attaining or maintaining an appropriate job certification;
- Attaining or maintaining an appropriate professional certification;
- Learning about new programs or policies that affect either the job or the Trust; and/or

- ~~Learning about job-related activities or requirements.~~

~~An employee desiring to attend employment related seminars and/or workshops shall submit a request to the Executive Director via his or her supervisor. If approved, the Trust will pay in advance for the seminar/workshop. The employee is responsible for attending the event and may be required to reimburse Efficiency Maine if he/she does not attend.~~

Employment Related Professional Associations:

Employees may also request that the Trust pay for a job-related professional association membership. While it is the intention of the Trust to encourage membership and participation in professional associations and to pay the annual cost of a single professional membership, approval is at the sole discretion of the Trust.

Membership in more than one professional association will be considered on a case-by-case basis. Approval is at the sole discretion of the Trust.

EQUIPMENT POLICIES

Use the Trust Branded or Identified Material, Equipment and Space

Employees may use the Trust branded or identified material, equipment and office or other rented space for job activities only, except as noted below regarding mobile devices. The Trust branding and its equipment and materials may not be used for political or personal purposes, or for commercial purposes that are not directly related to the work of the Trust.

Such branded materials include, but are not limited to:

- Efficiency Maine logo;
- The Trust letterhead stationery;
- The Trust website;
- The Trust branded advertising giveaways;

Where there is a question, employees should seek direction from their supervisor or senior management before acting. All such decisions should err on the side of caution. Any inadvertent misuse of the Trust brand should be immediately reported to the Executive Director or designee.

Efficiency Maine Supplied Equipment

The Trust will provide employees with the equipment necessary to accomplish the job for which the employee was hired including laptops or personal computers. Employees are expected to use the equipment as intended and to treat it in a manner which will assure its longevity and continued use. Employees who intentionally misuse or abuse equipment will be required to surrender the equipment

upon request. All equipment assigned to an employee will be returned in good order, except for normal wear and tear, upon termination or request. ~~Failure to meet this standard may result in the replacement costs of the equipment being deducted from the employee's compensation.~~

Employees will be provided Internet access for job-related use. Intentional misuse or abuse of Internet access will lead to the termination of access. The Trust reserves the right to periodically audit the contents of the laptops and personal computers and personal drives to be assured that no unlawful content has been stored on the employee's computer or the server, no matter how the content was delivered. Any unlawful content found will require the immediate surrender of the computer and referral to law enforcement authorities.

The following equipment- may be assigned to individuals or to a specific location:

- Desk or work surface and chair;
- Cabinet(s);
- Storage shelves or units;
- ~~Desk telephone;~~
- ~~Desk top calculator;~~
- ~~Laptop computer, docking station, and monitor with internet access and peripherals;~~
- ~~Standing desk converters;~~
- ~~Mobile devices with telephone, internet, and email access;~~ and/or
- Virtual Private Network (VPN) access to supplied laptop, only.

Employees may not provide or utilize their own equipment to conduct the business of the Trust, except in the case of mobile devices with permission of the Executive Director or designee. In the case of approved use of personal mobile devices or cell phones, the Trust reserves the right, on a case-by-case basis, to provide a cell phone stipend to employees to cover the proportional, monthly cost for conducting Trust business.

~~Mobile Devices~~

~~The term mobile device includes mobile phones, cell phones, smart phones, and other Personal Data Assistant (PDA) devices, with cellular communications capability.~~

~~Mobile devices may be issued by the Trust when it is more effective and/or efficient than landlines/desk phones or where the employee's ability to communicate remotely from the office is integral to their ability to perform their job. Mobile devices assigned to an employee will be returned in good order, except for normal wear and tear upon termination or request. Employees are required to lock their mobile devices via a PIN or Password when not in use.~~

~~Eligibility: Mobile devices shall be issued based on one or more of the following job requirements:-~~

- ~~Employee's job requires field work other frequent travel where landline phones are inaccessible or inefficient to use;~~
- ~~Employee's job requires immediate or on-call availability; and/or,~~
- ~~Employee's supervisor has approved significant use of the telecommute policy.~~

~~If the job does not meet the above eligibility requirements, but the employee uses their personal cell phone periodically for Trust business, a stipend may be negotiated with the approval of the employee's supervisor and Executive Director to cover a portion of the cost of the mobile device's service.~~

~~The Trust devices are issued to an individual for their job functions and remain the property of the Trust. The downloading of applications on the Trust's mobile devices is limited to job related applications only, and any applications or contents downloaded or stored on the device is the property of the Trust.~~

~~Job-related applications must be approved by a supervisor before the application and any subscription costs are incurred and become the responsibility of the Trust. If an employee downloads an application that is not job-related and that has a cost either for the download or an ongoing subscription cost, the employee will discontinue the service and will reimburse the Trust for all costs incurred by the application. Any application, whether or not it is job-related and/or authorized by the Trust that contains offensive or unlawful material will be removed immediately by the employee without waiting for direction.~~

~~The Trust reserves the right to periodically audit the contents of the device to be assured that no unlawful content has been stored on the device, no matter how the content was delivered to the device. Any unlawful content found will require the immediate surrender of the device and referral to law enforcement authorities.~~

PERSONAL PHONE CALLS

While the Trust recognizes the need for personal phone calls, these calls should be kept to a minimum frequency and time length during normal work hours. Under no circumstances is the toll-free number to be used for incoming personal calls. Excessive personal telephone use during normal work hours interferes with workflow.

Employees who are issued a mobile device with a calling plan of unlimited minutes may make personal calls during non-work hours but may not use the device for any political purposes.

USE OF CONTACT AND CONFIDENTIAL INFORMATION

The Trust staff has a responsibility for protecting confidential information. Such information includes certain personnel, and client or customer information. It also includes energy usage information of individually identifiable customers and may include a customer's business sensitive information. Prior authorization by the Executive Director, Deputy Director, Communications Director, Strategic Initiatives Director or Director of Finance and Administration, or their designee, is required for all use of the Trust's contact lists, including email lists and lists of names and addresses.

Employees are not to use the Trust's contact lists for non-job-related activities, nor are such lists to be sold or conveyed to anyone outside of the Trust unless the third party is a contractor or consultant with a valid need and approval for access to that list. Approval for access is through the Deputy Director. In the case of mailing lists that contain physical addresses, phone numbers, email addresses of persons or businesses, confidentiality and personal privacy are of utmost concern.

Where there is a question, employees should seek direction from their supervisor or senior management before acting. All such decisions should err of the side of caution. Any inadvertent misuse of the Trust list serve should be immediately reported to the Executive Director or designee.

Employees are also required to read and sign an acknowledgement that they agree to and understand a separate Confidential Information Management System (CIMS) policy.

INTERNET, ELECTRONIC MAIL AND VOICE MAIL POLICY

Electronic Mail (email) and voice mail are corporate assets and critical components of communication systems. The email and voice mail systems are provided by the Trust for employees to facilitate the performance of company work and their contents are the property of the Trust. The Trust management reserves the right to retrieve the contents of email and voice mail for any reason, including but not limited to finding lost messages, to comply with investigations of wrongful acts, or to recover from system failure.

Personal use of email or voice mail by employees is allowable but should not interfere with or conflict with business use. Employees should exercise good judgment regarding the reasonableness of personal use. Any personal use must be of an incidental nature and not interfere with business activities. Personal use must not involve solicitation, must not be associated with any outside business activity or personal gain, must not be libelous or defamatory, must not violate the Trust's Policy on Employee Harassment, must not potentially embarrass the Trust, its Trustees, Executive Director, stakeholders, grantor agencies or its employees or be used for any unlawful purpose. Copyright restrictions and regulations shall be observed. The information communicated over agency e-mail systems is subject to the same laws, regulations, policies, and other requirements as information communicated in other written forms and formats and is not to be utilized for partisan political purposes.

E-mail Use Privacy and Access

E-mail messages on Trust systems or devices are not personal or private. Managers, supervisors, and technical staff may access an employee's e-mail for reasonable business purposes, including but not limited to:

- For a legitimate business purpose;
- To diagnose and resolve technical problems involving system hardware, software, or communications;
- To comply with legitimate requests filed under the Freedom of Access Act or Freedom of Information laws: and/or,
- To investigate possible misuse of e-mail when a reasonable suspicion of abuse exists or in conjunction with an approved investigation.

Additional provisions regarding email include:

- An employee, with the exceptions noted above, is prohibited from accessing another user's e-mail without their permission;
- All e-mail messages including personal communications may be subject to discovery proceedings in legal actions; and

- All e-mail messages sent or received by the Trust staff, and which are not otherwise protected by law, are public documents and may be released to the public under the Freedom of Access Law.

E-mail Security

E-mail security is a joint responsibility of technical staff and e-mail users. Users must take all reasonable precautions, including safeguarding and changing passwords, to prevent the use of their e-mail account by unauthorized individuals.

E-mail Communications Management and Retention

Applicable to all e-mail messages and attachments

Since e-mail is a communications system, messages should not be retained for extended periods of time. Users should:

- Remove or archive all e-mail communications in a timely fashion; and
- Delete records of transitory or little value that are not normally retained in record keeping systems as evidence of an agency's activity.

Applicable to records communicated via e-mail

E-mail created in the normal course of official business and retained as evidence of official policies, actions, decisions, or transactions are records and are subject to the records management requirements documented by the Maine State Archives. (A copy of the Maine State Archives' *State of Maine E-Mail and Voice Mail Retention Guide 2008* is available in the office and should be reviewed by employees). Records communicated using e-mail need to be identified, managed, protected, and retained if they are needed to meet operational, legal, audit, research or other requirements.

Examples of messages sent by e-mail that typically are records include:

- Policies and directives;
- Correspondence or memoranda related to official business;
- Work schedules and assignments;
- Agendas and minutes of meetings;
- Drafts of documents that are circulated for comment or approval;
- Any document that initiates, authorizes, or completes a business transaction; and
- Final reports or recommendations.

Some examples of messages that typically do not constitute records are:

- Personal messages and announcements;
- Copies or extracts of documents distributed for convenience or reference; and
- Phone message notes.

Roles and Responsibilities

- The Administration Division will ensure that the policy is implemented by staff;
- The Administration Division will develop and/or publicize record keeping practices in their area of responsibility including the routing, formatting, and filing of records communicated via e-mail. They will train staff in appropriate use, including appropriate personal use of e-mail that does not result in performance issues, and be responsible for ensuring the security of physical devices and passwords;
- The Administration Division is responsible for e-mail security, backup, and disaster recovery; and
- Users are responsible for adherence to this policy.

Proper Usage

Including but not limited to the following, all e-mail users will:

- Understand that personal use must be of an incidental nature only;
- Comply with agency and unit policies, procedures, and standards;
- Protect confidentiality;
- Be aware that sending e-mail of a political nature (supporting candidates, soliciting contributions, etc.) is against the law and subject to criminal penalties (5 U.S.C. §1501 et seq., and 5 M.R.S.A. §7056-A 5 M.R.S.A §1976);
- Immediately delete any chain letters received through the e-mail system;
- Protect passwords;
- Respond to e-mail in a timely fashion;
- Not in any way use e-mail to access or transmit prohibited content of a sexual nature;
- Delete any messages that may contain offensive material and report to management;
- Remove personal messages, transient records, and reference copies in a timely manner;
- Not use e-mail for outside business activity or personal gain;
- Observe all copyright restrictions and regulations;
- Not use e-mail for any unlawful or illegal purpose;
- Not use e-mail to promote discrimination on the basis of race, religion, national origin, disability, sexual orientation, age, marital status, gender, or political affiliation or any other status protected by applicable law; and
- Not create e-mails that may be defamatory or libelous;
- Consider organizational access and retention requirements before sending, filing, or destroying e-mail messages;
- Be courteous and follow accepted standards of etiquette;
- Not use the e-mail system to solicit for causes unrelated to agency business; and
- Not knowingly send or receive e-mails that contain a virus.

Violations of this policy

Any violation of this policy could result in disciplinary action up to and including termination.

Use of Trust email and voice mail systems is limited to employees and authorized vendors, temporaries, or contractors. Employees and authorized users are responsible to maintain the security of their accounts and their passwords.

Efficient use of the email and voice mail systems suggests that messages should be concise and directed to individuals with an interest or need to know.

Misuse of email and/or voice mail can result in disciplinary action up to and including termination. More specifically:

- Transmitting offensive material over any company communication system which violates our harassment policy or creates an intimidating or hostile work environment is prohibited;
- Use of company communications systems to set up personal businesses or send chain letters is prohibited;
- Company confidential messages are to be distributed to the Trust personnel only, except for authorized contractors such as attorneys representing the Trust or lawful requests;
- Forwarding confidential message to locations outside is prohibited;
- Accessing copyrighted information in a way that violates the copyright is prohibited;
- Breaking into the system or unauthorized use of a password or mailbox is prohibited;
- Broadcasting unsolicited personal views on social, political, religious or other non-business-related matters is prohibited; and
- Solicitation to buy or sell goods or services is prohibited.

As a reminder: Employees should never presume that their Trust email or voice mail messages are personal and private.

SOCIAL MEDIA POLICY

Statement of Policy

The Trust may use social media technologies to enhance communication, collaboration, and information exchange with citizens under the following guidelines and procedures.

Purpose

The purpose of this policy is to provide guidance for employee use of social media, which should be broadly understood to include blogs, wikis, microblogs, message boards, chat rooms, electronic newsletters, online forums, social networking sites, and other sites and services that permit users to share information with others. This policy also defines the use of social media for Trust employees while contributing to or overseeing agency social media sites or providing comments or updates to the agency's social media identities.

In addition to this policy, social media content must follow all Trust policies. This includes policies on harassment and discrimination, confidentiality, ethics, and workplace violence, along with any applicable codes of conduct.

Guidelines and Procedures

Senior management, or the designated social media coordinator, will oversee all social media requests and interactions for the Trust. Employees shall consult with senior management, or the designated social media coordinator, prior to engaging in social media on behalf of the Trust to ensure that participation and representation on social media sites is sanctioned.

Social Media Use

Required Work-Related Use:

This includes use of social media that is sanctioned as part of an employee's job function (e.g., when an employee, as part of their job responsibilities, tweets on behalf of the Trust on the Trust's Twitter account). When this type of use is authorized, the employee must ensure that:

- Any social media sites used by the Trust to provide information must be established in the name of the Trust;
- Any information posted is authorized by senior management, or the designated social media coordinator;
- Only authorized employees post information on the Trust's sites;
- Personal opinions are not to be posted on the Trust websites;
- The Trust will remove any scandalous, libelous, defamatory, pornographic, etc. material or comments that are posted; and
- Any authorized Trust poster will monitor the social media site to ensure compliance with this policy and all other applicable Trust policies.

Use at Work

This includes personal use of social media while at work by an employee (e.g. logging onto Facebook and providing personal updates to a Facebook page, Twitter account, Instagram, etc. during work hours using their own or their Trust's information technology resources, when such activity is outside of the employee's official job function). Excessive personal use of social media during work hours is prohibited.

Personal Use Outside of Work

This includes use of social media by an employee in his or her personal capacity outside of work.

- Employees are prohibited from disclosing all confidential information including, but not limited to, program plans, internal operations and/or legal matters, as well as information that pertains to contractors, vendors, partners and/or customers on personal media sites unless and until they have been otherwise made public;
- Employees' personal use of social media should not be attributable to the Trust or employees' job function at the Trust;
- When an employee is posting on social media and the Trust is a subject of the personal content the employee is creating~~about non-work-related~~work-related issues, employees

must clearly disclose that such online posts are personal and do not reflect the view of their employer;

- Employees are discouraged from posting on social media about work-related issues; and
- The Trust’s harassment and discrimination policies, confidentiality policies, ethics rules, code of conduct, and workplace violence policies are applicable to all social media usage.

Trust employees must abide by laws governing copyright and fair use of copyrighted material owned by others. Entire articles or publications should not be reprinted without first receiving written permission from the publication’s author/owner. Never quote more than a short excerpt of someone else’s work and, if possible, provide a link to the original. When referencing a law, regulation, policy, or other website, if possible, provide a link or the citation.

Applicability

Employees should consult with senior management, or the designated social media coordinator, when questions arise about proper use. As the technology evolves, this policy may be amended.

Responsibility

Senior management, or the designated social media coordinator, will:

- Authorize specific employees to post, update and monitor the Trust’s social media identity or page; and
- Create a Comment Policy and Terms of Use which will describe how the Trust intends to manage user contributions to the Trust’s social media site (such as a wiki or a blog). The Comment Policy and Terms of Use shall also describe the review process prior to posting comments and the selection criteria for comment posting (e.g. on-topic, non-duplicative, not obscene or offensive etc.). Comments shall be monitored by authorized Trust staff. The Comment Policy and Terms of Use must be provided to each employee authorized by the senior management, or the designated social media coordinator to post information on behalf of the Trust.

POLITICAL ACTIVITY – HATCH ACT

General Policy

The Trust is an independent, [quasi](#)-state agency that may from time to time receive federal funding. Any employee whose position is federally funded, in whole or in part, is covered by the federal Hatch Act. Covered employees may not:

- Be candidates for public offices in a partisan election;
- Use official authority or influence to interfere with or affect the results of an election or nomination; or,
- Directly or indirectly coerce, attempt to coerce, commend, or advise a state or local employee to pay, lend, or contribute anything of value to a party, committee, organization, agency, or person for political purposes.

An election is a partisan election if any candidate is to be nominated or elected as representing a political party, for example, the Democratic or Republican party.

Except as prescribed by law, no Trust funds or employee time, supplies, or services are to be used for the purpose of aiding any candidate for any elected office whether partisan or non-partisan. If this should occur it may be grounds for disciplinary action which could lead to termination.

The U.S. Office of Special Counsel

The U.S. Office of Special Counsel is responsible for enforcing the Hatch Act. The U.S. Office of Special Counsel (OSC) is authorized by law to provide Hatch Act advisory opinions. Employees and members of the public are encouraged to write to OSC with specific questions that address permitted and prohibited activities under the Hatch Act. Should there be a question or concern raised about compliance with the Act, the Executive Director may submit a request for an advisory opinion directly to the Office of the Special Counsel, or to the State of Maine Attorney General's Office.

The information below is taken from the U.S. Office of Special Counsel and is provided for guidance.

- A. The Hatch Act restricts the political activity of individuals principally employed by state, county or municipal executive agencies who work in connection with programs financed in whole or in part by federal loans or grants. An officer or employee of a state or local agency is covered by the Hatch Act, if they have duties in connection with an activity financed in whole or in part by federal funds. These state and local employees:
 - **May** be candidates for public office in nonpartisan elections, i.e., an election where no candidates are running with party affiliation.
EXAMPLE: An employee may run for the school board in Washington D.C., if the school board elections in Washington D.C. remain nonpartisan.
 - **May** hold elective office in political parties, clubs and organizations.
EXAMPLE: An employee may serve as the vice president of the local Democratic or Republican party.
 - **May** be appointed to fill a vacancy for an elective office.
EXAMPLE: An employee may be appointed to finish the unexpired term of an elected officeholder. The employee may not run for reelection if the election is partisan.
 - **May** actively campaign for candidates for public office in partisan and nonpartisan elections.
EXAMPLE: An employee may campaign for candidates by making speeches, writing letters, working at the polls on election day and organizing political rallies and meetings.
 - **May** contribute money to political organizations.
EXAMPLE: An employee may make a monetary contribution to any candidate, political party, club or organization.
 - **May** attend and give a speech at a political fundraiser, rally, or meeting.
EXAMPLE: An employee may attend and give a speech or keynote address at a political fundraiser.
- B. There continue to be important restrictions on employees' political activity. State and local employees:

- **May** not be candidates for public office in partisan elections.
EXAMPLE: An employee may not run for office in an election where any of the candidates are running as representatives of a political party, e.g., the Democratic or Republican Party.
- **May** not use official authority or influence for the purpose of interfering with or affecting the result of an election or nomination for office.
EXAMPLE: A supervisor should not ask a subordinate employee to volunteer for a political party.
- **May** not directly or indirectly coerce contributions from other state or local employees.
EXAMPLE: A supervisor should not advise employees that they may purchase tickets to a fundraising event.
- **May** not orchestrate a “write-in” candidacy during a partisan election.
EXAMPLE: An employee may not solicit voters to write their name on the ballot on election day.

State and Local Employees who are not covered by the Hatch Act

Individuals who have no duties in connection with federally funded activities and individuals employed by publicly financed educational or research institutions, including state university systems and local public-school systems are not covered by the Hatch Act.

CAUTION: An employee’s conduct is also subject to the laws of the state and regulations of the employing agency. State or local laws do not affect the prohibitions of the Hatch Act.

DOMESTIC VIOLENCE AND THE WORKPLACE POLICY

Purpose

The purpose of this policy is ~~to raise awareness of and~~ to provide guidance, education and resources to employees, supervisors, and managers to address the occurrence of domestic violence and its effects in the workplace. The Trust is committed to providing a supportive and caring workplace environment free of domestic violence. The Trust will respond to and aid a victim. Victims will be treated with compassion and will not be judged.

Definitions for the purposes of this Domestic Violence and the Workplace Policy

~~**Abuser:** An individual who engages in or commits domestic violence.~~

~~**Domestic Violence:** A pattern of coercive behavior that is used by a person against family or household members to gain power and control over the other party in a relationship. This behavior may include any of the following: physical violence, sexual abuse, emotional and psychological intimidation, verbal abuse and threats, stalking, isolation from friends and family, economic control, destruction of personal property and animal cruelty. Domestic violence occurs between people of all racial, economic, educational and religious backgrounds. It occurs in heterosexual and same-sex relationships, between~~

~~married and unmarried partners, between current and former partners and between other family and household members.~~

~~**In The Workplace:** When an employee, whether the employee is the victim or the abuser, is in the Trust-owned or leased work space or is using the facilities, resources, or services of the Trust, or is using a vehicle owned or leased by the Trust, or is traveling on behalf of the Trust, the employee is considered “in the work place.”~~

~~**Sexual assault:** An act of sexual violence whereby a party forces, coerces, or manipulates another to participate in unwanted sexual activity. This behavior may include but is not limited to stranger rape, date and acquaintance rape, marital or partner rape, incest, child sexual abuse, sexual contact, sexual harassment, ritual abuse, exposure and voyeurism.~~

~~**Stalking:** Repeated unwanted contact between two people that directly or indirectly communicates a threat or places the victim in fear. Stalking may occur between intimate partners, acquaintances, or strangers. Stalking behaviors include but are not limited to: following a person; appearing at a person's home or place of business; making harassing phone calls; sending letters or e-mails; leaving written messages or objects; or vandalizing a person's property. In Maine, stalking is a crime and is defined more specifically in the criminal statutes in 17-A M.R.S.A. §210-A.~~

~~**Work Place Safety Plan:** A strategy developed in consultation with a victim to implement work place safety options, including, but not limited to: setting up procedures for alerting security or police; temporary relocation of the victim to a secure area; voluntary temporary transfer or permanent relocation to a new work site; reassignment of parking space; escort for entry to and exit from the work site; responding to telephone, fax, e-mail or mail harassment; and keeping a photograph of the abuser or a copy of an existing court order in a confidential on-site location and providing copies to designated personnel.~~

~~**Victim:** An individual subjected to domestic violence.~~

Statement of Confidentiality

The Trust recognizes and respects an employee’s need for autonomy and confidentiality. To the extent permitted by law and reasonably possible and unless the substance of the employee’s disclosure demands otherwise, the Trust will maintain the confidentiality of an employee’s disclosure regarding domestic violence. Confidentiality, however, cannot be guaranteed. Disclosure should be addressed to any supervisor or appropriate human resources staff. If an employee’s disclosure indicates that there exists reasonable cause to suspect abuse, neglect or exploitation of children or incapacitated or dependent adults, reporting will be mandatory.¹ ~~Further d~~Disclosure may also be necessary if the abuser presents a threat to the safety of any person in the workplace. Whenever reasonably possible, the employee will be given notice of necessary disclosures.

¹ Certain persons are “mandated reporters” of abuse or neglect of children, and abuse, neglect or exploitation of incapacitated or dependent adults. Mandated reporters include law enforcement officials. See 22 M.R.S.A. § 4011-A; 22 M.R.S.A. § 3477. In addition, any person may make an optional report if that person has reasonable cause to suspect that a child or incapacitated adult has been or is likely to be abused. Victims should be aware that situations involving suspected abuse, neglect or exploitation of children or incapacitated or dependent adults may be reported to outside agencies, as provided by law.

~~Procedure—Increased Employee Awareness~~

~~The Trust will increase employee awareness of domestic violence and inform employees of available community resources. The methods used may include, but are not limited to, the following:~~

~~Posting information on the impact of domestic violence and available community resources at the Trust work sites. This information may include available sources of assistance such as availability of the state's Employee Assistance Program, domestic violence projects, sexual assault centers and human resources personnel who are trained and available to serve as confidential sources of information, support or referral;~~

~~Including information on this policy and domestic violence awareness and services as part of the new employee orientation and in the new employee orientation packet;~~

~~Conducting domestic violence awareness activities in staff meetings, programs such as "brown bag lunches" and health and wellness programs; and/or,~~

~~Distributing information to all current employees.~~

~~Procedure—Employees Affected by Domestic Abuse~~

~~A. The Trust seeks to offer support and referrals for assistance to those employees who disclose concerns or request assistance.~~

~~B. Each employee is encouraged to discuss any concerns about being safe at work with a supervisor, manager, or appropriate human resources personnel. An employee who experiences or witnesses violence or threats of immediate violence in the workplace, regardless of whether the employee is a victim or not, must report the incident to a supervisor, manager, or appropriate human resources personnel immediately. In all circumstances, to ensure the safety and protection of all the Trust employees, any employee who has information that there is a threat of violence to any other person in the workplace must, as soon as practicable, report the threat to a supervisor, manager, or appropriate human resources personnel.~~

~~A.~~

~~The Trust is committed to the effective enforcement of protection orders. In this regard, an employee is encouraged to provide a copy of a protection order issued pursuant to a petition filed by the employee to the employee's supervisor or manager, particularly when the workplace is listed on the order so that all reasonable steps can be taken every attempt can be made to take steps to enforce the order and protect that employee and others. The employee is encouraged to keep a current copy of protection order immediately available in the workplace.~~

~~Procedure—Response and Assistance to Victims of Domestic Violence~~

~~A.——If an employee believes a co-worker is a victim of domestic violence, they are encouraged to contact a supervisor or appropriate human resources personnel to discuss their concern and the appropriate response. If a victim discloses domestic abuse to a co-worker, that co-worker should avoid victim blaming and should send supportive the following messages such as: you are not alone, you are not to blame, there is help available, and I am concerned about your safety. The co-worker may wish to refer the victim to:~~

~~Available resources including the domestic violence and sexual assault agencies, and the Employee Assistance Program.~~

~~Other individuals within the Trust who may be able to provide assistance to aid the victim such as human resources personnel and the victim's supervisor.~~

~~Sections of this policy that support safety planning and assistance to victims.~~

~~Supervisors are responsible for communicating that domestic violence is behavior that will not be tolerated in the workplace and that the Trust will actively provide information and support to employees who are victims of such abuse.—~~

~~A supervisor or manager who becomes aware that an employee is a victim of domestic violence shall consult with appropriate human resources personnel to determine an appropriate response. Such response may include:~~

~~Offering the victim information about appropriate organizations for support, which includes the domestic violence projects listed in Appendix A and that assistance is also available through the Employee Assistance Program;~~

~~Offering use of earned leave or leave without pay for the purposes of accessing domestic violence services, counseling, obtaining medical treatment, attending legal proceedings, or carrying out other necessary activities to remedy a crisis caused by domestic violence, sexual assault or stalking, in accordance with 26 M.R.S.A., §850, *Employment Leave for Victims of Violence*; and~~

~~Offering to assist the victim in developing a workplace safety plan. If the victim and abuser are both employed by the Department, the workplace safety plan should plan to protect the victim from any threat posed by the abuser. The needs of the victim are of primary importance and isolating the abuser from the victim is preferred if relocation for safety purposes is an issue.~~

~~C.B.~~ Department employees with supervisory responsibilities and any other designated individuals who will respond to victim and abuser will receive training on domestic violence in the workplace.

~~D.~~ Performance Issues: This policy recognizes that victims of domestic violence may have performance problems such as inability to concentrate, absenteeism, and productivity issues. When an employee confides to a supervisor or manager that job performance

issues are caused by domestic violence, referrals and assistance should be offered in accordance with this policy along with an opportunity to correct the performance issue. Nothing in this policy alters the authority of the Trust to establish performance expectations, counsel employees, impose discipline, reassign duties, place an employee on leave or take other action as it deems appropriate.

~~E.~~

~~F.C.~~ Where the other party in an incident of domestic violence or sexual assault involving an employee is an employee of a state agency, the human resources personnel will inform that agency, when there is reason to believe a workplace issue exists, to assure that appropriate responses to the situation are coordinated.

Procedure – Requirements of and Response to an Employee Who is an Abuser

- A. If an employee is concerned that a co-worker is a perpetrator of domestic violence, sexual assault, or stalking, the employee should contact the appropriate human resources personnel. The employee should not approach the co-worker directly.
- B. An employee who is found using any Trust resources such as work time, workplace telephones, facsimile machines, mail, electronic mail, a Trust vehicle, a Trust credit card or other means to commit an act of domestic violence, sexual assault or stalking will be subject to disciplinary action, up to and including termination. Similarly, any employee who is arrested, convicted, or issued a court order because of domestic violence, sexual assault or stalking, when such action has a nexus/connection to their employment with the Trust, will be subject to disciplinary action, up to and including termination.
- C. Any employee of the Trust who is named as a defendant in a protection order must disclose to their supervisor or manager any temporary or permanent order for protection from abuse or harassment with conditions that include:
 - 1. Conditions prohibiting or limiting contact with other employees of the Trust; or
 - 2. Conditions that may interfere with the employee's ability to perform job duties such as a prohibition against carrying a firearm, or a no-contact order involving any person with whom the employee may come in contact while carrying out the duties of their employment; and.

Failure to disclose the above information may result in disciplinary action up to and including termination.

~~D.~~ A supervisor or manager who becomes aware of a protection order or other information regarding an employee who is an abuser shall keep that information confidential to the extent reasonably possible and permitted by law and may only discuss the information with those persons who need to be informed; and

~~E.D.~~ An employee who is an abuser is encouraged to voluntarily seek assistance from the Trust's confidential Employee Assistance Program or from any of the certified batterer's

intervention program.

Retaliation

No employee may be subject to retaliatory action for making a complaint or observation of domestic violence, or otherwise asserting rights or responsibilities under this policy or relevant laws as a witness, reporting employee, or victim. Violation of this anti-retaliation provision is a serious violation and will be subject to disciplinary action.

Documentation

~~The Human Resources Manager will develop necessary protocols related to maintaining records of domestic violence disclosures.~~

Procedure—Employees Affected by Sexual Abuse and/or Stalking

~~Those employees who are victims of sexual assault or stalking should be referred to the appropriate sexual assault crisis and support center.~~

Conclusion

~~The Trust is committed to providing a supportive and caring workplace environment free of domestic violence. The Trust will respond to and aid a victim. Victims will be treated with compassion and will not be judged.~~

SIGNATURE PAGE FOR THE TRUST PERSONNEL MANUAL FOR NON-STATE EMPLOYEES

I certify that I have been provided a copy of and read the personnel manual and I understand that if I have any questions regarding any contents listed, I can ask my supervisor. I understand I am responsible for familiarizing myself with and understanding the policies in the personnel manual and I agree to comply with all rules applicable to me. I understand that the policies described in the personnel manual are intended as a guide only and do not constitute a contract of employment and the Trust may make changes to its policies at any time in its discretion. I understand that the Trust reserves the right to interpret its policies or to vary its procedures as it deems necessary or appropriate. I understand that, unless I have a written and authorized employment agreement in place with the Trust, I am employed at-will and the personnel manual does not modify my at-will employment status.

Signature of Employee

Signature of Supervisor

Printed Name of Employee

Printed Name of Supervisor

Date Signed

Date Signed

ATTACHMENT A:
MARYLAND PERSONNEL POLICY ADDENDUM

Court Appearances Leave

When paid leave is not available under the Trust’s Jury Duty and Court Appearances policy for all employees, unpaid leave shall be granted to Maryland employees acting as a witness or attending a legal proceeding as required by Maryland law.

Voting Leave

Maryland employees shall be granted paid time off to vote to the extent required by Maryland law. If a Maryland employee is a registered voter, the employee shall be permitted to take up to two hours paid time off to vote on an election day, unless the employee otherwise has two continuous hours off during the time polls are open. If a Maryland employee has elected to take such leave to vote, they must provide the Trust with evidence that they voted or attempted to vote on an official form prescribed by the State Board.

Sick and Safe Leave

The Trust’s PTO policy for all employees is intended to comply with the base requirements of Maryland’s Sick and Safe Leave law such that Maryland employees will be eligible to earn at least up to 40 hours of time off per year at the rate of one hour of leave for each 30 hours worked. Maryland employees shall be provided with the Maryland Earned Sick and Safe Leave Employee Notice upon hire.

Maryland’s Paid Family and Medical Leave

Starting January 1, 2027, under Maryland law any employer with at least one Maryland-based employee must begin making certain payroll withholdings and making certain contributions for their employees for Paid Family and Medical Leave benefits. Beginning January 3, 2028, employees will be entitled to receive Maryland’s Paid Family and Medical Leave benefits when eligible. Leave taken under the Maryland Paid Family and Medical Leave law will run concurrently with, and not in addition to, available forms of unpaid leave.

ATTACHMENT B:
TENNESSEE PERSONNEL POLICY ADDENDUM

Voting Leave

Tennessee employees shall be granted time off to vote to the extent required by Tennessee law. Tennessee employees shall be provided reasonable paid time off, not to exceed three hours, necessary for the employee to vote during times polls are open in the county where the employee is a resident; provided, however, if the work hours of an employee commence at least three hours after the opening of the polls or end at least three hours prior to the closing of polls, the time off for voting is not available. Tennessee employees intending to use this leave, must notify the Trust at least before 12:00pm the day before the election, but additional advance notice is encouraged. The Trust shall determine the specific time the employee may be absent for use of this leave.

Volunteer Firefighter Leave

Tennessee employees shall be permitted time off when acting as a volunteer firefighter to respond to an emergency to the extent required by Tennessee law. Tennessee employees may leave work to respond to an emergency when acting as a volunteer firefighter and such leave will be paid. Employees responding to such an emergency must make reasonable effort to notify the Trust that they may be absent or late for such reasons. The Trust may request written statement from the supervisor of the volunteer fire department stating the employee responded to an emergency.

Tennessee employees who have taken leave to respond to an emergency as a volunteer firefighter may also take off the next scheduled work period if it is within 12 hours of the emergency and if the employee worked for more than four hours the previous day or night in an emergency. Employees may use accrued PTO or take such time off unpaid.