

THURMONT POLICE DEPARTMENT

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| GENERAL ORDER | <i>Date Issued:</i> January 1, 2019 | <i>Effective Date:</i> January 1, 2019 | <i>Order No:</i> Chapter 21.0 |
| <i>Authority: Chief of Police</i> <p style="text-align: center;"><i>Gregory L. Eyer</i></p> | | <i>Manual Page No:</i> | |
| <i>Subject: COMPENSATION, BENEFITS, CONDITIONS OF WORK</i> | | <i>Replaces Page No:</i> | |
| <i>Accreditation Standard:</i> Chapter 22 | <i>Distribution:</i> ALL | <i>Amends: Policy dated</i> January 1, 2013 | <i>Number of Pages:</i> 13 |
| <i>Related Documents:</i> | | <i>Rescinds:</i> | |

This Directive is for internal use only, and other than as contraindicated here this Directive does not create or enlarge this Department's, governmental entity's, any of this Department's officers, and/or any other entities' civil, criminal, and/or other accountability in any way. This Directive is not to be construed as the creation of a standard of safety or care in any sense, with respect to any complaint, demand for settlement, or any other form of grievance, litigation, and/or other action. Deviations from this Directive, if substantiated, can only form the basis for intra-Departmental administrative action(s) (including discipline and/or termination).

I. PURPOSE:

To provide information about benefits and compensation for all employees of the Thurmont Police Department.

II. POLICY:

It is the policy of the Thurmont Police Department to provide a written summary of employee benefits and compensation. All benefits provided by the Town of Thurmont are subject to change.

III. DEFINITIONS:

Essential Employees = sworn officers assigned to cover a Patrol Shift

Non-essential Employees = civilians and sworn officers not assigned to cover a Patrol Shift

V. PROCEDURE:

A. COMPENSATION

1. The salary schedules as adopted by the Board of Commissioners for the Town of Thurmont as part of the annual budgeting process shall constitute the steps and rates of pay for all employees of the Department.

2. Entry-level salaries are generally paid the minimum rate for the class. Exceptions may be granted upon approval of the Chief of Police, Board of Commissioners, and Chief Administrative Officer (CAO). If an employee more than meets the minimum requirements and qualifications, and will not accept appointment at the minimum rate of the class, he/she may be appointed at a higher rate of pay at the discretion of the Chief of Police, BOC, and CAO. Each case should be thoroughly analyzed and measured against objective standards. In addition, every effort should first be made to recruit the best qualified employee who will accept appointment at the minimum rate of the class.
3. Any differential within ranks will be determined by the Chief of Police, Board of Commissioners, and the Chief Administrative Officer.
4. Salary levels for all positions including those with special skills, if any, are determined by the Chief of Police, Board of Commissioners, and the Chief Administrative Officer.
5. Unless otherwise specified, all full-time TPD employees will work 40 hours in a weekly pay period or 80 hours in a bi-weekly pay period. Employees assigned to work ten (10) hours or more per day will be granted a 45 minute paid meal break. Employees assigned to work eight (8) hours per day will be granted a 30 minute paid meal break.
6. Shift Differential – the Thurmont Police Department does not provide shift differential pay to any Department member.
7. Overtime –
 - a. Non-Exempt (sworn) personnel may augment their salary through overtime earnings. Personnel shall be compensated at the rate of one and one-half their normal hourly rate for additional hours worked. All overtime hours will be recorded on the employees' time sheet with an explanation of the additional hours and submitted for approval.
 - b. Exempt (sworn) personnel, classified as Lieutenant and above, are not eligible for overtime compensation.
 - c. When civilian employees of the Department exceed 40 hours worked in one pay period, or 80 hours worked in a bi-weekly pay period, any additional hours worked will be paid at a rate one and one-half time the employee's regular hourly rate. All overtime hours will be recorded on the employees' time sheet with an explanation of the additional hours and submitted for approval.

- d. According to the Town of Thurmont's Overtime/Compensatory Policy, "hourly employees will be granted a minimum of three (3) hours overtime for regularly scheduled weekend tasks; attending town meetings; or if called out for an emergency repairs/situation by their department head or designee. When police employees are summonsed for court appearances and they cannot be scheduled as regular on-duty time, they will be compensated a minimum of three (3) hours overtime. Compensatory time will be granted, at the option of the employee, for any overtime that is earned."
 - e. In place of overtime/double-time, the Town permits compensatory time to be credited at the same rate as overtime/double-time (1.5/2 times x hourly base rate).
 - f. All compensatory time hours will be recorded on the employees' time sheet with an explanation of the additional hours and submitted for approval.
 - g. Exempt employees may compute pay period hours on a cumulative pay period basis, rather than on a daily basis (e.g., An employee who is regularly scheduled to work 40 hours in one week can work flexible hours during that one week period.) Working hours must be approved in advance by the Chief of Police.
 - h. Employees will be allowed to accrue a maximum of eighty hours comp time.
8. Part-time Employment – part-time employees will be paid the hourly equivalent of the annual salary assigned to the position for which they are hired.
9. Promotions –
- a. When an employee is promoted to a position in a higher grade/step, the employee's rate of pay in the new grade/step will be determined by the Chief of Police with approval by the Board of Commissioners.
 - b. "Years of service" are reflected as a "Step" on a pay scale approved by the Town of Thurmont.
 - c. Ranks/Designations of the Thurmont Police Department are: Chief, Deputy Chief (Captain) or (Lieutenant), Sergeant, (2) Corporals, Officer First Class, and Officer.
 - d. Employees must hold a previous rank or designation for a minimum of (1) one year before being eligible to compete for the next higher rank, excluding the rank of Deputy Chief, which is an appointed position by the Chief of Police.

10. Demotions –

- a. When an employee is demoted to a lower class position, or when an employee of a higher position applies for a lower class position and is approved, the employee shall be paid at a rate which is within the approved range for the lower class position, whenever possible.
- b. Involuntary demotion: In the case of a demotion for disciplinary reasons, the employee's current rate of pay will be reduced at a rate of pay within the lower pay range as determined by the Chief of Police and approved by the Board of Commissioners. (The new salary cannot fall below the minimum of the new grade.)
- c. Voluntary Demotion: In the case of a voluntary demotion, the employee's current rate of pay shall be reduced at a rate of pay within the lower pay range as determined by the Chief of Police and approved by the Board of Commissioners. (The new salary cannot fall below the minimum of the new grade.)

11. Annual Increments –

- a. The salary grade/step ranges adopted by the Board of Commissioners provide for annual increments based upon employee's satisfactory performance, but the implementation of these increments shall be the decision of the Board of Commissioners during the annual budgeting process.
- b. The annual increment, or any portion thereof, may be denied by the Chief of Police based upon unsatisfactory work performance. Documentation of an unsatisfactory work performance and approval from the Board of Commissioners will be required.

B. BENEFITS

1. The Town of Thurmont provides a full range of benefits for its employees.

a. Vacation Leave: Vacation leave will accrue at the following rates:

i. After 1 year – 40 Hours per year

ii. 2 through 4 years – 80 Hours per year

iii. 5 through 14 years – 120 Hours per year

iv. 15 through 24 years – 160 Hours per year

v. 25 years and over – 200 Hours per year

Employees will be allowed to accrue a maximum of 80 Hours of vacation to carry over to the next calendar year. All vacation leave will be submitted on the approval form for supervisors and command approval or denial.

Employees hired after September 1, 2018, will accrue .42 Vacation hours per month until the beginning of the next employment year commencing on the new employee's anniversary date. Thereafter, vacation will be awarded as provided above on the anniversary date.

Part-time employees who work at least 20 hours per week (1,040 per year) are entitled to vacation on a pro-rata basis. (Accrual rate will be determined by CFO) Part-time employees working less than 20 hours per week or (less than 1,040 per year) will not receive paid vacation.

- b. Sick Leave: sick leave is granted at ten (10) days or (80 Hours) per year. Employees may accrue up to (2080) hours. Of the 10 sick days per year, employees may use two (2) of those days for Personal Business Leave. Personal Business Leave must be requested by utilizing the Leave Request Form and submitting it to the Deputy Chief of Police via Chain of Command. (An emergency request of this type of leave may be granted by a Supervisor.) An employee may donate sick leave to another employee who has exhausted all of their available leave by completing a request form and submitting it to the Deputy Chief of Police for approval.
- c. Military Leave: full paid military leave will be limited to a maximum of fifteen (15) calendar days during each calendar year. When an employee exhausts the amount of military leave with full pay, he/she may be granted any available paid vacation time or if, because of illness or injury, an employee's active duty orders are extended beyond the initial period covered by military leave, available sick leave may be granted.
- d. Jury Duty: recognizing it is the obligation of every citizen to serve as a juror when called upon to do so, an employee called for Jury Service or Subpoenaed as a witness will be granted leave with full pay for the first twenty days. Employees shall remit all compensation received for their juror service to the Town. The employee must report to work on days or partial days (if two or more hours remains on the employee's normal work shift) that the employee is not in trial.

If an employee's jury service extends beyond twenty days, the Town will grant the employee unpaid leave for the remainder of their service and the employee shall retain any compensation received for their juror service from that point forward. Leave benefits will accrue during the time period the employee is out on jury duty.

- e. Emergency Leave: In the event unusual or emergency circumstances should require absence of any employee from regular duty, appropriate consideration regarding pay will be at the discretion of the proper authority, as said absence relates to professional conferences, educational purposes to enhance the competence of the employee, or in the event of serious illness of a member of the employee's immediate family.
- f. Bereavement Leave: The Town provides paid bereavement leave in the event of the death of a parent, spouse, domestic partner, sibling, grandparent, child, step child, foster child, grandchild, father-in-law, mother-in-law, daughter-in-law, and son-in-law. Up to three (3) days of paid leave will be provided to all full-time employees and part-time employees working in excess of 20 hours per week. Part-time employees will receive paid leave in an amount equivalent to the hours that the employee works on the days the employee takes Bereavement Leave. For example, a part-time employee working four hours per day would receive four hours of paid leave for each day the employee takes bereavement leave.
- g. The Town of Thurmont provides health coverage insurance for employees at a percentage and rate negotiated with health insurance providers. Family vision and dental insurance are available to the employee at the employee's cost.
- h. The Town of Thurmont pays 100% for the employee's life insurance (\$25,000) while employed.
- i. The Town of Thurmont has insurance coverage through Standard Insurance Company for "Group Short Term Disability Insurance." This insurance provides a weekly income that is similar to workmen's compensation but covers the employee off the job. The weekly indemnity insurance begins on the first day of any accident and on the eighth day of sickness when disability benefits are required. (Refer to policy listed as an Appendix in this Chapter.)
- j. The Town is a participant in the State Retirement System. The Town also offers participation in a 457 Plan (similar to 401K) that the employee contributes to and makes the investment decisions.

k. Holiday Leave: the following days are designated as regular holidays for all employees. The dates of these holidays are determined by the Board of Commissioners:

- i. New Year's Eve (1/2 day)
- ii. New Year's Day
- iii. Martin Luther King Day
- iv. Good Friday
- v. Memorial Day
- vi. Fourth of July
- vii. Labor Day (1st Monday in September)
- viii. Thanksgiving Day
- ix. Day after Thanksgiving
- x. Christmas Eve
- xi. Christmas Day

When a holiday falls on a Saturday, employees shall be entitled to the Friday preceding said Saturday in observance of the holiday. Whenever a holiday falls on a Sunday, the following Monday shall be considered a holiday. When taking leave on a Holiday, an employee must use Holiday Leave. **Holiday Accrual Rate is granted at the employee's assigned hourly schedule to equal a full day or half day of accumulated Holiday Leave.**

- (1) **Holiday Worked: Department employees shall be paid at their regular rate for hours worked plus their regular "holiday pay," which equates to Double Time and one half (2.5 rate). Holiday pay may only be used when the holiday is actually worked. Non-essential employees are not permitted to work on a Holiday without prior approval from their supervisor.**

(2) Employees may choose to waive the Holiday Pay and take a paid day off in its place. Under this provision, the following conditions apply:

(a) Holiday leave is based on calendar year accrual and use.

(b) Holiday leave must be requested and approved in writing prior to use.

(c) Holiday leave may be carried over to next year.

(d) Employees may accrue up to 105 hours holiday leave or 10.5 ten (10) hour work days.

(e) Under no circumstance is an employee entitled to holiday pay and a paid day off for the same holiday.

(f) Part-time employees will be paid a ½ day pay for each full day holiday.

l. Personal Days: Full-Time employees are granted two (2) Personal Days per calendar year and may not be carried over. One is for the Employee's Birthday and must be used within 30 days of the Birthday. The second Personal Day may be used anytime during the calendar year. These Personal Days are at an employee's regular rate of pay and will not be subtracted from any accumulated leave balance, and should be marked as "Other" on a Time Sheet and identified as a Personal Day.

m. Sick Leave: use of sick leave shall be permitted in cases of employee illness or disability, including pregnancy, as well as, necessary appointments with physicians or dentists and confinement to home as a result of quarantine. An employee may use sick leave to care for a family member who is sick or injured.

1. In order to prevent abuse of sick leave or to assure medical attention for an employee, the Department may require the employee submit a medical certificate signed by a duly licensed physician, which authenticates a period of illness of one day or more. Examples of sick leave abuse may include, but are not limited to the following:

(a) Any pattern of sick leave usage, such as the use of six days in a six month period, one or two days at a time;

(b) Habitual sick leave absences on Mondays, Fridays, and/or the days immediately before and after holidays or their regular tour of duty.

- (c) Employees found abusing sick leave privileges will be notified and appropriate disciplinary action will be taken.
- (d) In order to receive compensation while absent on sick leave, employees must notify their supervisor not less than one hour prior to the time set for beginning their daily duties, unless the employee is so ill as to be incapable of notification.
- (e) For any illness of three consecutive working days, or more, employees will be required to submit a certificate from a licensed physician authorizing the period of illness and indicating the employee's ability to return to full duty status.
- (f) If any employee cannot perform the duties of their position up to 100% capability, they may be refused the right to return to work until capability is restored.
- (g) If as a result of an illness, an employee cannot perform the essential functions of their position, upon request, an attempt will be made to make a reasonable accommodation and to place the employee in a position in which they are capable of performing the duties the position requires. If a reasonable accommodation cannot be made, the Department may separate the employee from the Town/Department service.
- (h) Sick leave will be submitted on the approved form for supervisory and command approval or denial.
- (i) Department vehicles will not be operated by anyone while on sick leave, with the exception that an officer with a "take home" vehicle will be permitted to transport him/herself home if the sick leave is initiated while on duty.
- (j) The officer will not wear the police uniform in part or in whole, alternate attire, or any other clothing that displays an affiliation with the Department, while in the public view, for the duration of the sick leave status.
- (k) If the officer is summonsed/subpoenaed to appear for court, he/she must contact the appropriate parties in District/Circuit Court and the State's Attorney's Office, and request to be excused from appearing. The officer must document the time of the request and the name of the person with whom he/she spoke. It will ultimately be at the discretion of the court to decide if

the absence is permissible or if the officer is still required to appear. In the event the officer is unable to make the notification, he/she will immediately contact a supervisor, who will then attempt to make the request. A missed court appearance due to Sick Leave that has not been approved by the court is not excusable and may subject the officer to applicable disciplinary action.

- (l) An officer who is on Sick Leave may not work any secondary employment during the same calendar day on which his/her tour of duty would have ended, had he/she worked or completed the tour.

2. Personal Leave: Employees may use (2) days for personal business leave per calendar year. These Personal Leave Days will subtract from the employee's Sick Leave balance and may not be carried over.

C. EDUCATIONAL BENEFITS

1. A tuition reimbursement program has been established for the mutual benefit of both the Town of Thurmont and employees.
2. Reimbursement requires the recommendation of the Chief of Police and is subject to the approval of the Board of Commissioners. Depending on budget constraints, reimbursement is not guaranteed.
3. Requests for reimbursement must be in writing to the Chief of Police via the chain of command. The employee shall describe, as completely as possible, the courses for which they are requesting reimbursement.
4. Mileage allowance or other travel reimbursements are not considered a part of this program.
5. A grade of "C" or better or the numeric equivalent is required for reimbursement for all credit courses. Non-credit courses, home study courses, and proficiency examinations require a letter from the college or institution or a certificate verifying satisfactory completion.
6. Courses must relate to current job requirements to be considered for reimbursement.
7. Reimbursement will not be made where the employee withdraws from the course before its completion.

D. FAMILY MEDICAL LEAVE ACT (FMLA):

Under the FMLA, an eligible employee may take up to twelve weeks of unpaid leave, or a combination of paid and unpaid leave, during a twelve-month, rolling calendar period. Spouses employed by the same employer are jointly entitled to a combined total of 12 work weeks of family leave for the following events:

1. The birth and care of a newborn child of the employee;
2. The adoption of a child by the employee, or placement of a child in the employee's foster care;
3. The care of a spouse, child, or parent of the employee who has a serious health condition; or
4. A serious health condition that makes the employee unable to perform the functions of the job.

E. USE OF ACCRUED LEAVE UNDER FMLA:

1. Personnel will be required to exhaust all other means of paid leave before unpaid leave under FMLA is granted. Sick leave may be used as Personal Business Leave as previously outlined. Vacation, Compensatory Time of any type, Holiday Leave, Sick Leave, Personal Business Leave, and unpaid leave will be deducted from the twelve weeks allowed by FMLA.
2. Employees requesting FMLA leave must initially submit an Illness/Injury Report to the Chief of Police via Chain of Command. Decisions concerning the use of FMLA leave will be made by the Chief of Police or his designee.
3. Employees must complete and submit in a timely manner all FMLA required paperwork as directed by the CAO / CFO for the Town of Thurmont.
4. Throughout the duration of their leave, employees must maintain frequent, periodic contact with the Department via a method and schedule determined by their immediate supervisor.

F. LEAVE UNDER FMLA FOR BIRTH, ADOPTION, FOSTER CARE, OR PLANNED MEDICAL TREATMENT:

1. Use of FMLA leave for the birth or adoption of a child, or placement of a child in foster care, must be taken within twelve months of the event and cannot be used intermittently.

2. Employees who anticipate using FMLA leave for the birth, adoption, or placement in their foster care of a child, or for planned medical treatment of themselves or an immediate family member, must submit a Leave Request form.
3. Requests for additional Leave due to complications or for additional leave under the FMLA must follow the procedures outlined in this Order.
 - A. For the mother, six weeks;
 - B. For the father, two weeks for a vaginal delivery and four weeks for a Caesarian Section birth.

G. LEAVE UNDER FMLA FOR SERIOUS MEDICAL CONDITION:

1. Use of FMLA leave for a serious medical condition requires the following submissions to accompany the request. Failure to provide required documentation may result in denial of the request.
 - A. Certification from the health care provider containing the date on which the condition commenced;
 - B. The probable duration of the condition;
 - C. The appropriate medical facts regarding the condition;
 - D. A statement from the individual needing care (as his condition allows) that the assistance is indeed needed;
 - E. An estimate of the amount of time that will be needed.
2. FMLA leave may be used intermittently for this purpose, providing the above listed documentation is provided and supports that request. An individual using the leave on an intermittent basis will attempt to schedule the leave so as to minimize the impact on the operations of the agency.
3. In the event that the Department is better served by temporarily reassigning an individual to another assignment for the duration, the Chief of Police may exercise that discretion as he sees fit.

H. FMLA LEAVE FOR SELF CARE:

Eligible personnel may request leave under the provisions of FMLA to provide self-care when they are unable to perform the essential functions of their position as a result of a serious medical condition.

I. SICK LEAVE DONATIONS:

Personnel who have exhausted all available leave may receive donated leave in accordance to this policy. An employee who wishes to donate sick leave must submit "Donation of Sick Leave Form" to their supervisor.

J. SUPPORT SERVICES TO EMPLOYEES

1. Not applicable

K. EMPLOYEE ASSISTANCE PROGRAM

1. Not applicable

ATTACHMENTS :

Appendix A – Standard Insurance Company, Group Short Term Disability Insurance Policy

DOCUMENT DATES :

Amended Date: 1/1/2019

Review Date:

Rescinds:

Order Written By: Chief Gregory L. Eyler

Order Edited by: Lt. Droneburg

Approved By: Chief Gregory L. Eyler

Accreditation Standards Included in this Order

CHAPTER 22.1 – 22.3.4