

TOWN OF BERLIN

EMPLOYEE RULES AND REGULATIONS

October 15, 1981

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PREAMBLE

As agent for the Executive Board,

the Personnel Director shall be charged with the responsibility of the administration of these Rules and Regulations. Therefore, in all sections of this document, unless expressly written otherwise, any actions taken emanate directly from the authority of the Executive Board of the Town of Berlin.

These regulations are applicable to full time and part-time employees of both the Blue Collar and White Collar Unions. Excluded are all elected officials, employees in management, or under the jurisdiction of the Board of Education, Police Commission or Board of Public Health Nursing, unless specifically noted as applicable.

ELECTED OFFICIALS AND CORPORATION COUNSEL

Elected officials and corporation counsel may, under the appropriate charter provisions, participate in the pension system of the Town of Berlin; may participate in all health insurance programs, but shall not be entitled to any compensation other than their annual salary nor shall they be entitled to "vacation pay", accrued or otherwise.

Section I - RECRUITMENT

A) Announcement

- 1) Public Announcements - The Personnel Director shall make know vacancies in Town Employment by posting announcements for such vacancies on official bulletin boards, and/or advertising in at least one newspaper having a general circulation in the area, and in such other places as he/she may deem necessary or pursuant to current collective bargaining contracts.
- 2) Promotional Announcements - The Personnel Director shall make known vacancies to be filled by promotion by posting announcements for such vacancies on official bulletin boards, and/or advertising in at least one newspaper having a general circulation in the area, and in such other places as he/she may deem necessary.
- 3) Information - Announcements shall specify the title and salary range of the position, nature of work to be performed, desired qualifications of prospective applicants, closing date for receiving applications, and other information the Personnel Director may deem pertinent. Applications shall be made on forms provided by the Personnel Director.

- B) References - As part of the pre-employment procedure, former supervisors, employers, and references provided by candidates may be investigated. References and other checks shall not be made part of the applicant's permanent file. These checks shall be made prior to an offer of employment and all such information is to be handled as privileged information.

C) Disqualification

1) Reasons for Disqualification

The Personnel Director may reject any application which indicates on its face that the applicant does not possess the minimum qualifications required for the position or which was not filed by the announced closing date for receiving applications, unless prior to such date an extension of time has been publicly announced.

Further, the Personnel Director may reject any application if the applicant is physically unfit for the performance of the duties of the position or has made any false statement of any material fact or practiced any deception or fraud in his/her application.

2) Notification of Rejection

Whenever any application is rejected, the Personnel Director shall give written notice to the applicant of such rejection, by first class mail addressed to the latest address on the application form.

D) No Discrimination

All policies shall be in accordance with the Connecticut Fair Employment Practices Act and the appropriate Federal employment laws and regulations. An affirmative action plan has been adopted to ensure equal opportunity in town employment.

1) With recognition of the objectives of Title VII of the Civil Rights Act of 1964, employment opportunities shall be extended on a nondiscriminatory basis without regard to any individual's age, race, color, creed, sex, religion or national origin.

- 2) It is the intent of the Executive Board to comply with non-discrimination regulations concerned with providing equal employment opportunities for the physically or mentally disabled and with the Amendments to the Connecticut Fair Employment Practices Act.

Section II - SELECTION - APPOINTMENT

A) Selection

- 1) Management Positions - The Personnel Director in conjunction with the appropriate Department Head or Board/Commission Chairman will review all applications to determine the qualifications relative to the job specification for the vacancy.

The Personnel Director may, at the discretion of the Executive Board, convene an examination panel composed of no less than three (3) individuals sufficiently expert in the appropriate field so as to be able to conduct a technical-oral examination of qualified applicants. Members of examining panels shall be disinterested parties not currently employed by the Town of Berlin.

Those candidates meeting the criteria set forth under A-I shall be examined by the panel whose duty it shall be to report to the Personnel Director the results of said examination. This report shall be in the form of a listing of those candidates who have passed the examination, their score and the rank-order of their placement.

The Personnel Director shall present the results of the examination, and all pertinent information and documentation to the Executive Board whose prerogative it shall be to select any of the top three candidates to fill the vacancy.

2) Non-Management Positions

- a) The Personnel Director in conjunction with the appropriate Department Head and/or members of his staff shall review all applications to determine the qualifications relative to the job specification, and shall conduct interviews to consider the relevance of prior experience to the vacancy at hand, and determine candidates' suitability for the position.
- b) The Personnel Director shall then present applications and other related information and shall recommend candidates in rank order to the Executive Board whose prerogative it shall be to make the final selection.
- c) All Temporaries, Seasonal, Part-time and Summer worker positions shall be filled in this manner.

B) Appointments

Appointments to fill vacancies in Town employment shall be made by the Executive Board.

C) Notification - At the time of appointment, the Personnel Director shall notify the appointed, in writing, of the following:

- (a) rate of pay; (b) hours of employment; (c) classification; and (d) employment date.

D) Temporary Appointments

- 1) Emergency Appointments - In an emergency, the Executive Board shall authorize the appointment of any qualified person to the position to prevent stoppage of public business or loss or serious inconvenience to the public. Such appointment shall be valid for the duration of the

emergency without regard to the rules affecting appointments and shall be void of any fringe benefits.

- 2) Durational Appointments - In the event of extended leave of absence, the Executive Board may authorize the appointment of any qualified person to the position in order to maintain the efficiency of the conduct of public business. Such appointment shall be valid for the duration of the leave of absence without regard to the rules affecting appointments and shall be void of any fringe benefits.

E) Probationary Period

For securing the most effective adjustment of a new employee to his/her position and for determining that an employee's work meets required standards, all appointments shall be for a probationary period as specified in current collective bargaining contracts.

Appointments to management positions shall carry a nine (9) months probationary period.

F) Evaluation of Performance

- 1) Probationary Status - No later than the mid point of the established probationary period, the supervisor shall prepare and discuss with the employee a performance evaluation which thoroughly reviews the work of the employee. This evaluation shall be submitted to the Personnel Director along with documentation indicating that the employee is informed of the test period requirements and is given any remedial assistance deemed necessary by the supervisor. Upon completion of the probationary period, a final evaluation shall be

introduced into the employee's personnel file.

- 2) Permanent Status - Annually during the course of Town employment, each employee shall be provided with an evaluation of his past year's performance, by his supervisor. Such evaluations shall be written and shall address both the strengths and weaknesses of job performance. Evaluations shall be construed as a management tool designed to improve communications between supervisor and employee, and to foster increased proficiency and productivity as well as job satisfaction. Annual performance evaluations shall become part of the employee's permanent personnel record.

G) Termination

During the probationary period, an employee may be terminated at any time by the Personnel Director, with the approval of the Executive Board.

H) Notification of Permanent Appointment

Upon the successful completion of a probationary period, the Personnel Director shall notify, by letter, the employee of his/her permanent status.

I) Medical Examination

A medical examination may be required as a condition for permanent appointment, with the Town bearing the cost of said examination.

Section III - CLASSIFICATION

A) Classification Plan

The Mayor shall cause to be prepared a classification plan which shall become effective upon approval by resolution of the Executive Board. The classification plan is a statement of the duties and responsibilities of each position in Town employment, of the minimum qualifications for appointment to, and of the pay ranges for such positions. All positions in Town employment shall be grouped into grades. Written specifications shall be prepared for each position.

B) Classification of Positions

The classification plan shall be so developed and maintained that all positions substantially similar with respect to duties, responsibilities, authority, and character of work are included within the same grade and that the same schedules of compensation may be made to apply with equity under like working conditions to all positions in the same grade.

In the preparation of the classification plan, the Mayor shall allocate every position in Town employment to one of the grades established by the plan as provided by the Executive Board.

C) New Positions

New position, the need for which has been substantiated by a Department Head and the Personnel Director, and the description of which does not bear sufficient similarity to any existing classification shall be established in the manner set forth in Sections III-A and III-B. Such action shall be taken based on a comprehensive job analysis conducted by the Personnel Director.

D) Reclassification

Positions, the duties of which have changed materially so as to necessitate reclassification, shall be allocated to a more appropriate grade, whether newly created or currently existing, in the manner set forth in Section III-A and III-B. Such action shall be taken based on a comprehensive job analysis conducted by the Personnel Director

E) Positions to be Classified

All positions except those filled by Elected Officials and those that are the responsibility of the Board of Education, Board of Police Commissioners and Board of Public Health Nursing shall be classified. Included are all part-time and seasonal positions.

Seasonal positions shall be those that are required for less than ten (10) months per year.

Section IV - COMPENSATION

A) Preparation of Plan

The Personnel Director shall prepare and submit to the Executive Board a pay plan for each grade of position in Town employment showing the minimum and maximum rates of pay. In arriving at such salary ranges, consideration shall be given to prevailing rates of pay for comparable work in other public and private employment, conditions of work, basic pay, current costs of living, suggestions of department heads and the Town's financial conditions and policies. Current collective bargaining agreements shall prevail for bargaining unit classifications.

B) Periodic Review of Plan

The Personnel Director shall review the management pay plan (annually) and shall recommend to the Executive Board necessary revisions so as to reflect changes in the area of economic conditions and to attract and retain qualified management personnel in Town service.

C) Entrance Salary Rates

- 1) Starting Rate on Initial Employment - The entrance rate of pay for those grades specified in collective bargaining agreements shall be offered for recruitment purposes and shall be paid upon appointment to the grade.

The Executive Board may approve initial compensation at a rate higher than the minimum rate of pay for a management grade when the needs of the service make such action necessary, provided that:

The qualifications of the applicant are outstanding in relation to those of competing applicants, and his/her employment cannot be obtained at the minimum rate.

and

There is a shortage of qualified applicants available at the minimum rate of pay,

and

The negotiated entrance rate of pay does not exceed the maximum for the grade.

2) Starting Rate on Return from Military Service - Any

employee who leaves the Town service to enter the Armed Forces shall be reinstated in accordance with Section 7-462 of the Connecticut General Statutes as amended.

D) Rate of Pay on Transfer or Demotion

When an employee is transferred from one position to another position in the same grade, he/she shall continue to be paid at the same rate. When an employee is demoted to a lower grade, his/her salary shall be set at a rate in the lower grade, as if his/her employment had continually been in said lower grade.

E) Rate of Pay on Promotion

1) When a bargaining unit employee is promoted, his/her rate of pay shall be advanced to the new pay range specified by collective bargaining agreement.

2) When a management employee is promoted, his/her salary shall be advanced to a specified rate in the new pay

range as determined by Executive Board action.

F) Hourly Employees

All hourly employees shall be paid for the actual number of hours worked during the pay period.

G) Salaried Employees

All salaried employees shall be paid on a semi-monthly basis.

H) Absence Without Leave

Any employee absent without leave shall forfeit his/her pay for the entire duration of such absence.

I) Authorized Leave

When absent because of authorized sick or vacation leave, each employee shall be paid at the regular rate.

Section V - CONDUCT OF EMPLOYEES

A) Attendance

1. Attendance of all bargaining unit employees shall be recorded by punch clock and payrolls shall be prepared based on these time clock cards.
2. Attendance of all management employees shall be recorded on prescribed time records.
3. All attendance records shall be approved by immediate supervisor or designee.

B) Overtime

Bargaining Unit employees shall be compensated for overtime under the terms specified in current collective bargaining contracts.

C) Preference in Town Employment

Any employee who engages in employment outside of his/her regular working hours shall be subject to call to perform his/her regular Town duties first.

D) Injury and Illness

The Town shall in no respect be liable in case of an injury to an employee while he/she is engaged in outside employment, or any occupational illness attributed thereto.

Section VI - FRINGE BENEFITS

A) Vacations

Eligibility, utilization and payment for vacations for Town employees shall be in accordance with applicable Collective Bargaining Contracts.

B) Advanced Vacation

No employee may take vacation time beyond the amount earned.

C) Holiday Celebrated During Vacation

Observed holidays shall not be considered part of vacation time. A holiday occurring while an employee is on vacation shall be considered a holiday and not a vacation day.

D) Sickness While on Vacation

An employee who becomes ill while on vacation may charge such illness to sick leave, provided a medical certificate confirms said illness.

E) Vacation Time in conjunction with Sick Leave

In the event an employee's sick leave is exhausted, earned vacation time may be credited to sick leave, provided a medical certificate confirms said illness.

F) Advanced Vacation Pay

Employees wishing vacation pay in advance, must notify the Finance Department by Monday of the week preceeding the week of the vacation. Notification shall be in the form of a payroll card showing the vacation time to be taken. Employees requiring advance vacation time in another fiscal year, must notify their supervisor one (1) month in advance in order that funds may be requested from the Executive Board and Board of Finance.

G) Payment of Vacation Upon Termination

In the event of termination of employment, an employee who has achieved permanent status shall be paid for his/her accrued and unused vacation time pro-rata to his/her date of termination.

This payment shall be a lump sum.

H) Payment of Salary in Lieu of Vacation

No additional salary will be paid to an employee in lieu of a vacation without prior approval of the Executive Board.

I) Break in Service

Vacation time shall be determined by the length of continuous service. For purposes of computing vacation time, employees who leave the Town service and are later restored shall be considered as new employees, unless their re-employment occurs within one (1) calendar year of their termination date.

J) Sick Leave

Sick leave shall be granted under terms specified in Collective Bargaining Contracts and shall be allowed in the event of actual illness or injury of an employee, and shall not be considered as a privilege which an employee may use at his discretion.

Sick leave shall be allowed for lost time for medical, optical or dental appointments during working hours as approved by the Supervisor. Sick leave shall be used in increments of at least one (1) hour.

K) Abuse of Sick Leave Privilege

Abuse of sick leave privilege shall be considered as sufficient cause for disciplinary action.

- 1) Proof of Illness - A department head may require a doctor's certificate or other proof of illness as required by collective bargaining agreement or when in his judgement such certificate appears warranted.

2) Recording of Sick Leave - Sick leave shall be recorded regularly in the payroll records and the Personnel Director shall review all such records periodically.

L) Holiday Pay

Holiday pay shall be granted under terms specified in the Collective Bargaining Contracts.

M) Payment for Working on a Holiday

Payments to employees required to actually work on any given Holiday shall be made in accordance with current collective bargaining agreements.

N) Leaves of Absence

No provision of this section shall serve to diminish the rights or benefits governing personal or military leave under State or Federal Statutes.

1) Occupational Injury Leave

- a) Injury leave as distinguished from sick leave shall mean paid workmen's compensation leave given to an employee due to absence from duty caused by an accident or injury that occurred while the employee was engaged in the performance of his/her duties.
- b) The Town may supplement payments due an employee under Workmen's Compensation Insurance so that the employee will receive total benefits that are consistent with sick leave benefits.

2) Leave of Absence without Pay

Unpaid leave of absence may be granted by the Executive Board for reasons satisfactory to that Board. Such

reasons shall include but not be limited to illness, maternity, military service or personal reasons. Such leaves may be granted in whole or in part, with position held or position not held, at the discretion of the Board. If granted "position held", the employee shall be replaced in his same position upon reinstatement from leave. If granted "position not held", the employee's reinstatement in Town Service shall be contingent upon the existence of a suitable vacancy. No leave shall be granted without written request from the employee, such request addressed to the Department Head indicating the reason for leave, duration of leave, and statement of intention to return to Town Service.

3) Requirements for Leave

a) Illness/Maternity

Requests for leave of absence due to illness or pregnancy must be supported by medical certificate indicating diagnosis, expected length of incapacity and anticipated date of return to duty. All accrued sick leave must be exhausted before a request for leave due to illness will be entertained. The portion of sick leave which may be applied in the case of pregnancy shall be governed by said medical certificate. Any portion of accrued vacation may also be applied. Sick leave, vacation leave and unpaid leave in aggregate shall not exceed six (6) months position held for illness or pregnancy leave.

b) Military Leave

Requests for leave due to Military Service must be supported by certified copy of official military orders. While said military orders shall govern the duration of leave granted, a maximum six (6) months leave will be granted position held.

c) Bereavement Leave

Bereavement leave with pay shall be granted in accordance with current collective bargaining contracts. This benefit shall also be applicable to Management Personnel.

d) Emergency Leave

Emergency leave with pay may be granted with the approval of the Executive Board, provided such leave does not exceed ten (10) working days.

4) Fringe Benefits While on Leave

Insurance

- a) Insurance benefits will be continued during leaves of absence for reasons of illness/maternity provided that such leaves of absence are granted position held. Vacation and sick leave shall not accrue during the period of leave, but shall resume upon completion of one (1) full month's service after reinstatement from leave of absence. An employee's earned seniority shall not be lost due to a leave of absence, position held; however, total years of Town Service for determining pension eligibility shall be adjusted by the period of leave.

- b) For leaves of absence for personal reasons-position held, all fringe benefits shall be suspended for the duration of the leave, but earned seniority shall not be lost.

Vacation and sick leave shall not accrue during the period of leave, but shall resume upon completion of one (1) full month's service after reinstatement from leave. Employees on personal leave of absence may make arrangements to maintain their Health Insurance Benefits at their own expense during the period of their leave provided such period of leave does not exceed thirty-nine (39) weeks.

- c) For leave of absence position not held, all benefits are terminated, but employees may take advantage of the thirty-nine (39) week health insurance for terminated employees.

5) Alternate Duty Leave

Jury Duty

Paid leave time (consisting of one's normal pay exclusive of overtime) shall be authorized by the Personnel Director when an employee is called to serve as a juror or alternate. Any fee paid to the employee for the rendering of these services, with the exception of lunch, room or mileage allowances, shall be surrendered to the Town.

0) Additional Benefits

In addition to the benefits listed above, the Town may in accordance with Collective Bargaining Contracts provide other

benefits including, but not limited to, health insurance, life insurance, and a pension plan. Eligibility requirements are detailed in such plans.

Section VIII - SEPARATIONS AND DISCIPLINARY ACTION

A) Type of Separation

All separations from Town employment shall be designated as one of the following types and shall be accomplished in the manner indicated: resignation, lay-off, disability, death, retirement, or dismissal.

B) Conditions of Separation

At the time of separation and prior to final payment, all records, assets, or other items of Town property in the employee's custody shall be transferred to his/her department head. Any amount due because of a shortage in the above shall be withheld from the employee's final compensation or collected through other appropriate action.

C) Payment of Earned Compensation and Leave Upon Separation

Employees who leave the Town service shall receive payment for all earned wages and salary, and vacation leave subject to deduction for any indebtedness pursuant to Section VII-B above.

D) Resignation

An employee in good standing, desirous of leaving Town employment, shall file with his/her department head at least two (2) weeks before leaving the service, a written resignation stating the effective date and reasons for leaving. The department head may permit a shorter period of notice because of extenuating circumstances. The resignation shall be forwarded to the Personnel Director with a statement by the department head as to the resigned employee's service

performance and pertinent information concerning the cause of resignation. Failure to comply with this rule may be cause for denying further employment with the Town.

E) Layoff

When a position must be discontinued or abolished because of a change in duties, reorganization, lack of work, or lack of funds, the department head shall submit a report to the Executive Board together with a recommendation as to the employee to be laid-off.

Order of Layoff

Any lay-off and subsequent recall shall be carried out in accordance with procedures set forth in the collective bargaining agreements.

F) Removal

At any time during the probationary period the Personnel Director upon recommendation of a department head, with the approval of the Executive Board, may separate, in accordance with Section II-G any employee whose performance does not meet the required standards.

G) Disability

An employee may be separated for reason of disability when he/she cannot perform the required duties because of a physical or mental impairment. Action may be initiated by the employee, his legal representative, or the Town; but in all cases, it must be supported by medical evidence. The Town may require a medical examination at its expense and performed by a physician of its choice. Such action will

carried out as specified in current Collective Bargaining Contracts.

H) Retirement

1. Retirement Plan

The Town participates in the Federal Social Security Program with contributions being based on Federal regulations.

2. Eligibility

The Executive Board shall provide a system of retirement allowance for the Town's permanent full-time employees meeting eligibility requirements as set forth in the contract with the insuring company.

I) Disciplinary Action

The Town of Berlin construes Disciplinary Action as a management tool to be used judiciously and constructively for the express purpose of generating improved employee performance and job satisfaction. The cornerstone of the Town's policy on Disciplinary Action is clear and ongoing communication with all Town employees so that the Town's position as well as the employee's position are clearly understood at all times. All disciplinary action shall be carried out in accordance with current collective bargaining contracts.

1. Reprimand

In situations where an oral warning has not resulted in expected improvements, or where more severe initial action is warranted, a written reprimand shall be sent

by the Personnel Director to the employee and a copy shall be placed in the employee's official personnel file.

2. Suspension

Upon approval of the Executive Board the Personnel Director may suspend an employee without pay when in his judgment an employee's work performance or conduct as reported by the department head justifies disciplinary action, short of dismissal. The employee shall be notified by the Personnel Director of the suspension and reasons therefore, in writing.

3. Dismissal

An employee may be dismissed from Town Service whenever the employee's work or misconduct so warrants, upon approval of the Executive Board. The following is a list of permissive causes for dismissal from Town Service. This list should not be construed as all inclusive:

- Intoxication while on duty.
- Fighting on Town property.
- Repeated abusive or offensive conduct toward the public, supervisors or fellow employees.
- Conviction of a felony while employed by the Town.
- Abandonment of position by failure to report for duty or to inform the town of the reasons for one's absence for a period of five (5) calendar days.
- Theft of town funds or property.
- Willful or careless destruction or misuse of town vehicles, property or equipment.

- Violation of Town Charter or policy.
- Fraud or deception in the preparation or submission of reports or documents including one's time card.
- Failure to execute the duties of one's office.
- Sexual activity or harassment, while on duty or on Town property.
- Used of drugs (other than those prescribed by one's physician) while on duty or on Town property.

Section VIII - STATUS CHANGE

A) Transfer

Transfer of an employee from one position to another without change in grade may be effected when:

- 1) The employee meets the qualification requirements.
- 2) Further training and development of an employee in another position would be beneficial to the future staffing potential of the Town.

B) Promotion

Insofar as practicable and consistent with the best interest of the Town, vacancies in the Town employment may be filled by promotion from within the Town employment. No supervisor shall deny any employee permission to apply for promotional opportunity in any Town office or department. When the Mayor determines that an insufficient number of well-qualified employees are available from within the Town employment, he/she may consider outside applicants along with Town employees in order to provide an adequate number of candidates for consideration. In all cases, the Town may require successful completion of certain job-related courses as a condition of promotion.

C) Demotion

An employee may be demoted to a position of lower grade for which he/she is qualified for any of the following reasons:

- 1) When an employee would otherwise be laid-off because his/her position is being abolished for lack of work, lack of funds, or because of the return to work from

authorized leave of another employee to such a position in accordance with these Rules.

- 2) When an employee cannot render satisfactory service in the higher position.

D) Changes of Status

Employees will be notified in writing of changes in employment status.

Section IX - RECORDS AND REPORTS

A) Personnel Records

The Executive Board shall maintain an adequate record of official acts under these Rules and the employment record of every employee. It shall be the duty of the Personnel Director to carry out this function in full compliance with applicable State and Federal Statutes.

B) Personnel Reports

Department heads shall submit, promptly, data on proposed appointments, status changes, or separations pertaining to Town employment at such time, in such form, and with such supporting information as these Rules prescribe or as the Mayor shall deem necessary.

Section X - MISCELLANEOUS

All employees with the exception of employees of the Board of Education, Police Department and Public Health Nursing are covered by these Rules and Regulations.

Elected officials are not bound by these regulations.

Provisions of Collective Bargaining Agreements have been incorporated into these Rules and Regulations where applicable. If any contradiction or inconsistency should exist, collective bargaining agreements as they relate to bargaining unit employees only shall take precedence over the provisions of these Rules and Regulations.

Employees in management are not affected by these regulations except where expressly noted.

Section XI - FRINGE BENEFITS
PERMANENT PART-TIME PERSONNEL

A) Eligibility

Employees who are scheduled to work on a regular basis for twenty (20) hours per week or more, are eligible to receive benefits under this section. Excluded are seasonal employees and employees scheduled to work less than twenty (20) hours per week.

B) Vacations

Eligible employees will be granted vacation on a pro-rata basis, on each July 1st.

C) Sick Leave

Part-time employees shall be subject to the sick leave provisions of Section VI-J and shall accrue sick leave on a pro-rata basis.

D) Holidays

If a Holiday occurs on a day that a part-time employee is regularly scheduled to work, the part-time employee shall be given the Holiday and paid at his/her hourly rate times the number of hours he/she would have normally worked on that day.

E) Leaves of Absence

Part-time employees shall be subject to the provisions of Section VI-N for leaves of absence.

F) Insurance

Part-time employees may join group insurance plans.

G) Pension Plan

Employees are eligible to join the Town-sponsored Pension Plan if they are scheduled to work a minimum of twenty (20)

hours per week. All other eligibility requirements as outlined in the plan must also be met.

H) Summer Workers

Summer Workers shall be paid an hourly rate for hours worked and shall not be eligible for other fringe benefits.