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Chapter 4 – Time-Off Benefits

Please note the following:

1. The benefits contained in Chapter 4 are only applicable and available to Full/Part-time Regular employees.
 - a. These benefits **are not applicable or available to Part-time employees** working less than 20/hrs/wk.
 - b. Does not apply to MAS Employees working less than 25 hrs/wk
2. Milford Ambulance Service (MAS) Employees
 - a. In Chapter 4, the following sections contain this reference - ***Ambulance employees please see addendum at the end of Section 4 for department specific (MAS) processes.***
 - Annual Leave, Section F
 - Holidays, Section B/Section C
 - Non-Standard Work Week, Section B
 - Personal Time, Section D
 - Sick Time, Section I
 - b. An addendum has been added to the current Employee Handbook (at the end of Chapter 4) that is specific to MAS Employees/Volunteers . (effective 9/25/15)
3. The contents of this chapter are subject to change at Management’s discretion.

Chapter 4 - Time-Off Benefits

Note: Whenever leave earnings, entitlements and accumulations are addressed in this Chapter, they are determined on the standard forty (40) hour work week. Full-time and part-time regular employees regularly assigned to work less than the standard forty (40) hour work week shall have their leave earnings, entitlements, and accumulations pro-rated based on the hours worked in relation to the standard forty (40) hour work week. Accruals are based on the standard forty (40) hour work week. Hours worked over forty (40) do not factor into accrual rates.

It is the policy of the Milford Board of Selectmen that all time off **must** be charged to leave balance(s) (i.e., personal, holiday, vacation, sick) available to the employee. An employee **must** request authorization from the Department Head and the Board of Selectmen and/or the Town Administrator, in advance, in order to take Leave Without Pay as further described in Chapter 5 under Other Authorized Absences.

ANNUAL LEAVE

A. Because we recognize the importance of vacation time in providing the opportunity for rest, recreation, and personal activities, the Town of Milford grants annual, paid vacations to its full-time and part-time regular employees. The amount of vacation time to which you are entitled depends on your length of service as of your anniversary date as follows:

<i>Years of Service as of Anniversary Date</i>	<i>Annual Vacation Allowance</i>	<i>Hourly Accrual Schedule</i>	<i>Maximum Accumulation</i>
1 through 5	80 hours	0.039 hours	120 hours
6 through 10	120 hours	0.058 hours	180 hours (correction 1.16.2020)
11 through 25	160 hours	0.077 hours	240 hours
26 and over	200 hours	0.096 hours	240 hours
See Sick Leave, Section D, line 11 to reflect additional 40 hours as it relates to Maximum Accumulation (corrected 12.19.19 - had referenced wrong section)			

B. Full-time and part-time regular employees accrue vacation on schedules proportionate to hours worked but are paid only for the number of hours they would normally be scheduled to work during the vacation period. **For example**, after completion of one (1) year of service, an employee who is regularly scheduled to work thirty (30) hours per week is entitled to sixty (60) hours or two (2) weeks of vacation time and, based on the employee's regular schedule of thirty (30) hours per week, is paid for thirty (30) hours for each week of vacation. Any questions about your accrual rate or annual vacation benefit should be directed to your supervisor, your Department Head, or the Human Resource Office.

C. With the approval of their Department Head, newly-hired, full-time and part-time regular employees may take up to one half (1/2) of their first year's vacation entitlement after the completion of six (6) consecutive months of full-time employment with the Town.

- 1 D. Annual leave is earned on an hourly basis in accordance with the schedule noted
2 above. Annual leave shall be cumulative for not more than the prescribed number of
3 hours noted above and shall lapse if not used. (In other words, employees earn
4 vacation time up to the maximum accrual until leave time is used.)
- 5 E. Each full-time and part-time, regular employee is encouraged to take at least five (5)
6 consecutive days of leave each calendar year. Employees with sufficient
7 accumulated leave may take annual leave not to exceed, in one period, three (3)
8 consecutive weeks in one calendar year – provided however, that such leave period
9 does not interfere with the operations of the department and is approved in advance
10 by the Department Head. The Town Administrator shall be the approving authority
11 for all Department Head vacation requests. The Board of Selectmen shall be the
12 approving authority for vacation requests by the Town Administrator.
- 13 F. Annual leave will usually be granted if requested in writing at least two (2) weeks
14 prior to the commencement of the leave (except where circumstances preclude this)
15 - provided however, that such leave does not interfere with the efficient operations of
16 the department. Every reasonable effort will be made to accommodate the
17 employee's request. Vacations may be taken as weekly periods or as individual
18 days/hours as long as the periods chosen meet with departmental approval. To the
19 extent possible, employees with sufficient accumulated leave will be afforded the
20 opportunity to take two (2) consecutive weeks of accumulated leave at least once
21 per calendar year. Should a conflict arise between two (2) or more employees
22 requesting vacation during the same period of time, the Department Head shall use
23 current employment longevity as the method to resolve the conflicts. **Ambulance**
24 **employees please see addendum at the end of Section 4 for department specific**
25 **(MAS) processes.**
- 26 G. Annual leave with pay shall not be granted to an employee during the first six (6)
27 months of employment except in a documented emergency or when part of a pre-
28 employment Agreement.
- 29 H. Accumulated annual leave earned by an employee shall be reported bi-weekly on
30 the employee's payroll check/direct deposit voucher stub.
- 31 I. **Vacation Carryover.** Vacation may be taken as time accrues at any point during
32 the year, however, you may not carry more than the accumulated maximum. For
33 example, if you have reached the maximum accumulation of 120 hours (or 15 days)
34 after two years of service, you must use some of this vacation time before you begin
35 accumulating more vacation time.
- 36 J. **Pay in Lieu of Vacation.** Employees are required to take their earned vacation.
37 No payments will normally be made in lieu of taking vacation, except for accrued
38 unused vacation at the time of termination. In unusual circumstances, the Board of
39 Selectmen may approve the cashing out of unused vacation time, however, prior to
40 requesting said cash-out, the employee shall notify the Board of Selectmen in writing
41 – at least 30 days in advance of asking for this cash out – detailing the reasons why
42 he/she has not been able – or shall not be able within the next 30 days – to utilize
43 this time.

- 1 K. **Vacation Pay Advances.** If you wish to receive vacation pay before a scheduled
2 vacation, you must indicate this in the vacation request at the time of submission to
3 your supervisor at least two (2) weeks prior to the start of your scheduled vacation.
- 4 L. **Separation.** Upon retirement of a full-time employee or upon voluntary resignation
5 or termination without cause of a full-time or part-time regular employee with more
6 than six (6) months of accredited service, a sum equivalent to the pay for the
7 accumulated, but unused, annual leave credit will be paid to the employee. In the
8 event of death of any employee while employed by the Town, a sum equal to the
9 total number of hours of annual leave accrued shall be paid to the estate of the
10 employee. No vacation payment will be made to employees who do not sufficiently
11 complete probation.

12

BEREAVEMENT LEAVE

13 If you are a full-time or part-time, regular employee and a death occurs within your
14 "immediate family" (as defined in Chapter 2), you shall be entitled to take up to forty (40)
15 hours of bereavement leave, with pay. To utilize bereavement allowance, the employee
16 must request same from the Department Head specifying the basis for request. The
17 Town recognizes that some bereavement leave may extend into future months to
18 account for spring internments or other circumstances related to a death/burial.

19

20 **Note:** Full-time and part-time regular employees assigned to work less than the
21 standard forty (40) hour work week shall have their bereavement leave entitlement
22 prorated based on the hours worked in relation to the standard forty (40) hour work
23 week.

24

FAMILY AND MEDICAL LEAVES OF ABSENCE

Part A: Employees Who Qualify for Leave Under the Family and Medical Leave Act of 1993.

27 A. The Town of Milford will grant a leave of absence to regular full-time and regular
28 part-time employees (who meet the requirements described below) for the care of a
29 child after birth or adoption or placement with the employee for foster care, the care
30 of a covered family member (spouse, child, or parent) with a serious health
31 condition, for an employee's own serious health condition; or for an employee who
32 has a service member as part of the family. Leaves will be granted for a period of up
33 to twelve (12) weeks in any twelve (12) month period. An employee must have
34 completed at least one (1) full year of service with the Town and have worked a
35 minimum of 1,250 hours in the twelve-month period preceding the leave to be
36 eligible for such leave.

37 B. **Child/Family Care Leave.** If you request a leave of absence to care for a child after
38 birth, adoption, or placement in your home for foster care or to care for a covered
39 family member with a serious health condition, you will be granted unpaid leave
40 under the following conditions:

- 1 1. If the leave is planned in advance, you must provide us with at least thirty (30)
- 2 days' notice prior to the anticipated leave date, using the Town's official
- 3 Leave-of-Absence Request Form available in the Human Resource Office.
- 4 2. If the leave is unexpected, you should notify your supervisor and the Town
- 5 Administrator's Office by filing the Leave-of-Absence Request Form as far in
- 6 advance of the anticipated leave date as practicable. (Normally, this should
- 7 be within two business days of when you become aware of your need for the
- 8 leave.

9 C. All Town benefits that operate on an accrual basis will continue to accrue during the
10 leave period. Employees will be entitled to retain one (1) week of accumulated
11 annual leave. Once all leave benefits are exhausted, the balance of the leave will be
12 without pay unless you are eligible for short-term or long-term disability or Worker's
13 Compensation benefits in accordance with Town of Milford policies.

14 D. All group insurance benefits for which an employee is eligible (e.g., health and
15 dental insurances, short & long-term disability, etc.) will continue during the leave
16 provided you continue regular employee contributions, where required, to these
17 plans. Other benefits such as NH Retirement System, ICMA, etc. will also continue
18 as long as you are receiving pay from which to make your regular employee
19 contributions.

20 E. Employees requesting a leave to care for a covered family member with a serious
21 health condition will be **required** to provide medical certification from the family
22 member's physician attesting to the nature of the serious health condition, probable
23 length of time treatment will be required, and the reasons that the employee is
24 required to care for this family member. Employees may also be required to provide
25 additional physician's statements at the Town's request. Further, if the Town has
26 reason to doubt the medical certification provided, the family member may be
27 required to obtain a second medical opinion at the Town's expense. If the first and
28 second medical opinions differ, the Town may require a third and binding medical
29 opinion, again at the Town's expense.

30 F. **Leave for Military Service Member.** If you are requesting leave for a family
31 member who is in the service, you will be granted leave under the following
32 conditions:

33 1. **Family Member Leave.** 12 weeks of FMLA leave due to a spouse, son,
34 daughter or parent being on active duty or having been notified of an
35 impending call or order to active duty in the Armed Forces. Leave may be
36 used for any "qualifying exigency" arising out of the service member's current
37 tour of active duty or because the service member is notified of an impending
38 call to duty in support of a contingency operation.

39 2. **Caregiver Leave.** 26 weeks of FMLA leave during a single 12-month period
40 for a spouse, son, daughter, parent, or nearest blood relative caring for a
41 recovering service member. A recovering service member is defined as a
42 member of the Armed Forces who suffered an injury or illness while on active
43 duty that may render the person unable to perform the duties of the member's
44 office, grade, rank or rating.

1 **G. *Leave for Employee's Own Serious Health Condition.*** If you request a leave of
2 absence for your own serious health condition, you will be granted leave under the
3 following conditions:

- 4 1. If the leave is planned in advance, you must provide the Town with at least
5 thirty (30) days' notice prior to the anticipated leave date, using the Town's
6 official Leave-of-Absence Request Form available in the Human Resource
7 Office.
- 8 2. If the leave is unexpected, you should notify your supervisor and the Human
9 Resource Office by filing the Leave-of-Absence Request Form as far in
10 advance of the anticipated leave date as practicable. (Normally, this should
11 be within two business days of when you become aware of your need for the
12 leave.)
- 13 3. Any time you expect to be (or are) absent for more than five (5) consecutive
14 work days as a result of your own serious health condition (including
15 pregnancy) you will be required to submit appropriate medical certification
16 from your physician. Such certification must include, at a minimum, the date
17 the disability began, a diagnosis, and the probable date of your return to work.
18 In cases of suspected abuse of sick leave, the Town may require a
19 physician's statement for any period of absence due to your own health
20 condition.
- 21 4. Any employee who requests a leave of absence under this section for his/her
22 own serious health condition – as certified by a physician – and who is unable
23 to perform his/her primary job duties, will be deemed to be ineligible from
24 performing any secondary functions for the Town – for example, a Public
25 Works employee who is also a volunteer firefighter or ambulance service
26 volunteer, would be prohibited from serving in this capacity until the employee
27 is cleared by his/her physician to return in some capacity (i.e., full or light
28 duty) to his/her primary job duties.

29 **H. *Medical Certification.*** During your leave, you may also be required to provide the
30 Town of Milford with additional physician's statements on request from the Town or
31 the Town's insurance carriers, attesting to your inability, because of a serious health
32 condition, to perform the essential functions of your job. If the Town has reason to
33 doubt the validity of any such medical certification, the Town may require a second
34 opinion at its expense. If the first and second medical opinions differ, the Town may
35 require a third and binding medical opinion, again at the Town's expense. The Town
36 may require the employee to provide a recertification of his/her serious health
37 condition if circumstances change during the illness or injury, or if the Town receives
38 information to cast doubt upon the continuing validity of the employee's most recent
39 medical certification.

40 **I. *Fitness for Duty.*** Before you will be permitted to return from medical leave, you will
41 be required to present the Town with a note from your physician indicating that you
42 are capable of returning to work and of performing the essential functions of your
43 position, with or without reasonable accommodation. Where required, the Town will

1 consider making reasonable accommodation for any disability you may have in
2 accordance with applicable laws.

3 J. **Notice.** All requests for, and all information pertaining to, Family Medical Leave Act
4 shall be provided on Town of Milford forms. These forms can be obtained from the
5 Human Resource Office.

6 K. **Leave Entitlement.** Eligible employees are entitled to a leave for up to twelve (12)
7 weeks in any twelve (12) month period (other than for F.2 above). Leave taken to
8 care for a child after birth, adoption, or placement in your home for foster care must
9 be taken in consecutive workweeks. Leave taken for the employee's or a covered
10 family member's serious health condition or for a service member may be taken
11 consecutively, intermittently, or on a reduced work/leave schedule based on certified
12 medical necessity. Requests for intermittent or reduced work leave should be
13 submitted to the Department Head for approval. Department Heads should notify the
14 Town Administrator and the Human Resource Director of all such requests. Such
15 requests for intermittent leave shall be for a time period of not less than one (1) hour.

16 L. **Reinstatement Rights.** Upon return from leave, eligible employees are entitled to
17 be reinstated to their former position, if available, or to an equivalent position with
18 equivalent employment benefits, pay, and other terms and conditions of
19 employment. Exceptions to this provision may apply if business circumstances have
20 changed (e.g., if the employee's position is no longer available due to a job
21 elimination). Exceptions may also apply for certain highly-compensated employees
22 under certain conditions. In addition, employees on a leave extension are not
23 guaranteed reinstatement. These employees will be handled in accordance with the
24 reinstatement provisions in Part B of this policy.

25 **Part B: Leaves for Employees Who Do Not Meet the Minimum Service** 26 **Requirements.**

27 A. Full-time regular and part-time regular employees who have less than one (1) year
28 of service and/or who have not worked a minimum of 1,250 hours during the twelve
29 (12) month period prior to their leave, may request a leave of absence for the
30 reasons set forth above in Part A, subject to the following terms and conditions:

31 1. Leave requests must be made at least thirty (30) days in advance of the date
32 the employee would like the leave to begin or, in emergency situations, with
33 as much advance notice as is practicable using the Town's official Leave-of-
34 Absence Request Form. (Normally this should be within two business days of
35 when the need for the leave becomes known to the employee.)

36 2. The certification requirements and the conditions for required use of accrued
37 time off, benefits accrual, and continuation of group health insurance during
38 leave set forth in Part A apply to all leave requests.

39 B. All questions regarding leaves of absence should be directed to the Human
40 Resource Office. Leave-of-Absence Request Forms are also available from the
41 Human Resource Office.

ABSENCE DUE TO A DISABILITY

Part A: Policy.

- A. When the employee is on Worker's Compensation or Short-Term Disability (full-time employees), employment shall continue for six (6) months with full benefits. Health insurance and other benefits may be maintained by the employee by contributing the normal cost-sharing funds that existed prior to the Worker's Compensation injury or Short-Term Disability coverage.
- B. **In the case of Short-Term Disability**, if the injury or disability is of a duration longer than six (6) months, measured from the date the injury occurred or sickness began, the individual **must** apply for leave-of-absence without pay (See also Chapter 5 "Other Authorized Absences"). If a leave of absence is granted, accumulation of all types of leave benefits cease and insurance coverage remains in effect only with the direct pre-payment by the employee, to the Finance Department, of the employee's usual and customary share of the monthly insurance premium(s) for a period not to exceed one (1) year from the date of the injury or illness. After this one-year period, insurance coverage will continue only if the employee has elected COBRA coverage and with the pre-payment by the employee, to the Finance Department, of one hundred (100%) percent of the monthly insurance premium(s). If the leave of absence as above noted is denied or if the employee fails to apply for the leave of absence, the employee is terminated and health and dental insurance(s) may be maintained under the normal COBRA procedure as established under the rules and regulations of the Federal Government.
- C. **In the case of Worker's Compensation Disability**, if the injury or disability is of a duration longer than six (6) months, measured from the date the injury occurred, accumulation of all types of leave benefits cease and insurance coverage remains in effect only with the direct pre-payment by the employee, to the Finance Department, of the employee's usual and customary share of the monthly insurance premium(s) for a period not to exceed one (1) year from the date of the injury or illness. After this one-year period, insurance coverage will continue only if the employee has elected COBRA coverage and with the pre-payment by the employee, to the Finance Department of one hundred (100%) percent of the monthly insurance premium(s). If the leave of absence as noted above is denied or if the employee fails to apply for the leave of absence, the employee is terminated and health and dental insurance(s) may be maintained under the normal COBRA procedure as established under the rules and regulations of the Federal Government.
- D. If the employee is entitled to Family Medical Leave Act benefits at the time of onset of the Worker's Compensation or Short-Term Disability, the Town of Milford shall, in accordance with Paragraph 825.507 of the Family Medical Leave Act Federal Regulations, designate leave taken pursuant to the qualifying disability as Family Medical Leave and count the leave taken as running concurrently.

1 **Part B: Reinstatement of Employees Following the Resolution of the**
2 **Employee’s Disability.**

3 A. Employees who have been injured and are eligible for, and have received, benefits
4 under the Workmen’s Compensation Program shall have reinstatement benefits in
5 accordance with RSA 281-A:25-a. In general terms, this section allows
6 reinstatement within an eighteen (18) month period provided that certain statutory
7 provisions are met by the employee.

8 B. The Town of Milford will consider reinstating an employee, who has been disabled
9 and is eligible for – and has been granted – a leave of absence, in accordance with
10 the Town of Milford Employee Handbook of Personnel Rules, to his/her former
11 position of employment upon request for such reinstatement if the position exists
12 and is available and the employee is not disabled from performing the essential
13 functions of such position with reasonable accommodations for the employee’s
14 limitations. If the former position has been eliminated or is not available for any
15 other reason, the Town **may consider** reinstating the employee in any other existing
16 (alternative) position which is vacant and suitable for the employee and the
17 employee is not disabled from performing the essential functions of this alternative
18 position with reasonable accommodations for the employee’s limitations. A
19 certificate by the employee’s attending physician that the physician approves the
20 employee’s return to the employee’s regular employment with reasonable
21 accommodations for the employee’s limitations shall be prima facie evidence that
22 the employee is able to perform such duties. Reinstatement is further subject to the
23 provisions for seniority rights and other employment restrictions contained in valid
24 Collective Bargaining Agreements and any other employment contracts that may
25 exist. If the existing Collective Bargaining Agreement is silent on this issue, then this
26 policy statement shall prevail. Further, eligibility for reinstatement terminates when
27 any of the following events occur:

- 28 1. A medical determination by the attending physician or other bona fide
29 authority that the employee cannot return to his/her former or alternate
30 position of employment.
- 31 2. The employee accepts full-time employment from another employer.
- 32 3. Eighteen (18) months from the date of injury or illness.
- 33 4. Other terminable offenses and causes as outlined in the Town of Milford
34 Employee Handbook of Personnel Rules or other adopted Town rules,
35 regulations, by-laws or ordinances

36 C. Further, reinstatement shall not apply to an employee hired on a temporary basis as
37 a replacement for an injured worker or to an employee who has been employed for a
38 specific project, task, or other activity that had a time-definite period and this period
39 is now completed.

HOLIDAYS

- 1
- 2 A. The Town of Milford usually provides paid time off (pro-rated) to all full-time and
- 3 part-time regular employees on the following holidays:
- 4

New Year's Day	Columbus Day*
Civil Rights/Martin Luther King Day* (not an AFSCME holiday)	Veterans Day
President's Day	Thanksgiving Day
Memorial Day	Day after Thanksgiving
Independence Day	Christmas Day
Labor Day	Employee's Birthday* (not an AFSCME holiday)

- 5
- 6 B. **General Information** – Holidays falling on a Saturday are normally observed on the
- 7 preceding Friday. Holidays falling on a Sunday are normally observed on the
- 8 following Monday. Holidays indicated by an asterisk (*) are floating holidays. On
- 9 these days, the Town will be open for business as usual and each office will be
- 10 minimally staffed. Those employees who have to work on the floating holiday will be
- 11 granted another day off as their holiday, however, the actual holiday must have
- 12 occurred prior to those employees taking another day off as their floating holiday
- 13 with the exception of the Employee's Birthday which may be taken any time after
- 14 January 1st. Employees are eligible for paid holidays upon commencement of
- 15 employment. Prior to the beginning of each calendar year, the Human Resource
- 16 Office will issue a notice of the dates on which each of these holidays will be
- 17 observed for the ensuing year. ***Ambulance employees please see addendum at the***
- 18 ***end of Section 4 for department specific (MAS) processes.***

- 19 C. **For all employees working other than a "traditional" work week, the following**
- 20 **shall apply** by the Town of Milford establishing a "bank" of allowable holiday hours:
- 21 All Town-observed holidays will be taken on the day the Town observes the holiday
- 22 and the hours (including call shift) normally worked that day will be charged to the
- 23 "bank." If the employee chooses to work a holiday that falls in the scheduled work
- 24 week and the department is open for business, a two (2) week notification will be
- 25 given to the Department Head by the employee. The employee will be paid at
- 26 straight time for that holiday with no charge to the "bank." If the holiday falls on the
- 27 employee's day off, the hours will be left in the "bank" and treated as floating holiday
- 28 time. ***Ambulance employees please see addendum at the end of Section 4 for***
- 29 ***department specific (MAS) processes.***

JURY DUTY

- 30
- 31 A. **Jury Duty Leave** – pertains to employees who are summoned to serve as a juror in
- 32 a judicial proceeding (ie Juror, jury pool, selection process, etc.),
- 33 B. **Leave with pay** shall be authorized for jury duty, if selected by a court, when the
- 34 hours of duty conflict with your work schedule. This shall apply to regular full-time

1 (RFT) and regular part-time (RPT) employees who are summoned to jury duty.
2 Employees shall be limited to a maximum of twenty-two (22) working days per
3 calendar year of paid leave for jury duty.

4 C. A RFT/RPT employee absent for jury duty is paid the difference between his or her
5 regular pay (for the day/week/etc.) and the payment he/she receives for jury duty.
6 As such, the employee must turn into the Town the payment provided for jury
7 service, excluding mileage as well as a copy of the check/stub received for service.

8 D. **To be eligible for leave with pay** for jury duty, an employee shall provide the Town
9 with proof of summons, attendance, and amounts paid. A copy of the summons
10 should be given to the employee's supervisor as soon as it is received. Proof of
11 attendance should be furnished as soon as jury duty is completed. The employee
12 shall only be paid for the actual time missed from work while acting in his or her
13 capacity as a juror. If jury duty does not last a full day, the employee is expected -
14 within reason - to return to his/her duty station.

15 WITNESS LEAVE

16 A. Witness Leave – summoned as a witness in a judicial proceeding in which the
17 Federal, State or local government is a party.

18 B. If an employee is summoned as a witness to appear in court or to a court related
19 activity, such as a deposition, for non-Town-related business, he or she shall be
20 entitled to use vacation time or personal time.

21 1. To be eligible to use vacation time or personal time for witness duty leave, an
22 employee must provide the Town with a copy of the summons and
23 attendance. A copy of the summons should be given to the employee's
24 supervisor as soon as it is received. Proof of attendance should be furnished
25 as soon as witness testimony is completed.

26 2. If there is no vacation time or personal time available, witness duty leave can
27 be taken without pay. Employees must provide the Town with a copy of the
28 documentation required in item a., above, to affirm this leave was taken for
29 witness leave as opposed to other personal use.

30 C. If the summons is related to Town business, the employee shall not be required to
31 use his or her vacation time or personal time as such instances shall be deemed a
32 work-related activity. If the Employee has been made whole by the Town, the
33 employee should sign the check over to the Town.

34 MILITARY LEAVE

35 A. Leave for military or Reserve duty shall be granted to full-time and part-time regular
36 employees. If you are called to active military duty or to Reserve or National Guard
37 training, or if you volunteer for the same, you must submit copies of your military
38 orders to your supervisor upon receipt of notice. During your annual training period
39 of up to a maximum of fifteen (15) days, the Town of Milford shall compensate you
40 only for the difference between your annual training pay from the military and your

1 normal bi-weekly (less payroll deductions) pay from the Town. Such military leave
2 shall not be charged against sick or annual leave.

- 3 B. The Town of Milford shall compensate you only for the difference between your
4 annual training gross pay from the military and your normal gross bi-weekly pay from
5 the Town. When the employee receives their reimbursement from the military, the
6 employee should then write a check to the Town for the day(s) they were made
7 whole.

8 1. Example – leave with pay:

- 9 i. The Town will pay the employee for the time they are absent from work
10 up to 15 scheduled work days.
11 ii. When the employee receives their payment from the military, they
12 should provide a copy of that payment to Finance.
13 iii. Finance/HR will discern what portion of the military payment is relative
14 to missed time and what portion is for ancillary reimbursements (travel,
15 etc)
16 iv. The employee will then receive notification from Finance/HR about the
17 amount due and payable to the Town.
18 v. Once reimbursement is received, Finance will reconcile the employee's
19 account.

20 2. Example - leave without pay

- 21 i. Should the military gross pay be greater than the Town's gross pay,
22 the employee may opt to take the time off without pay.
23 ii. In doing so, the employee may – need to pay the Town for their portion
24 of the deductions that would have occurred through payroll for that
25 period of time, example: the employee may need to apply for service
26 credit through NHRS, may need to issue a check to the Town to cover
27 insurance payments, etc.
28 iii. Additionally, there will be no vacation accruals during this time frame.
29 iv. Probationary employees – any updates to accruals will stop.

- 30 C. When the employee returns from temporary or extended military service, he/she
31 shall be offered re-employment in his/her former position consistent with applicable
32 State and/or Federal laws. **See Human Resources for details.**

33 **NON-STANDARD WORK WEEK**

34 For employees working a “non-standard” work week, a “bank” of allowable holiday and
35 personal hours shall be maintained as follows:

- 36 A. Total hours to be “banked” for a 40-hour per week employee is 116 hours per
37 calendar year. These consist of 96 hours of holiday time and 20 hours of personal
38 time. Full-time and part-time regular employees working less than 40 hours per
39 week will receive a prorated amount of holiday and personal time.

- 1 B. All requests for “bank” leave time will be submitted on the Town’s request form at
2 least two (2) weeks prior to the day(s) off requested. The Department Head will
3 respond in writing within one (1) week from the date the request is received. Every
4 reasonable effort will be made to accommodate the employee’s request, however, if
5 the request is denied, a reason for the denial will accompany the response. It is
6 understood, in cases of unusual circumstances, that the request for leave notice
7 requirements shall be waived with Department Head approval. Job coverage for
8 approved “bank” leave shall be the responsibility of the Department Head.
9 **Ambulance employees please see addendum at the end of Section 4 for department**
10 **specific (MAS) processes.**
- 11 C. All full-time employees who use the “bank” system will sign an authorization form
12 stating that, upon termination of employment, any amounts paid for “bank” time used
13 in advance of the actual occurrence of any holiday(s) will be deducted from any
14 termination pay due to the employee. This authorization form will further
15 acknowledge that, if termination pay is not sufficient to reimburse the “bank,” the
16 employee will repay the Town any balance within thirty (30) days of termination. The
17 authorization form will be filed in the employee’s personnel file.
- 18 D. All “banked” time that is unused by the end of the calendar year will be forfeited by
19 the employee.

20 PERSONAL TIME

- 21 A. In addition to providing paid time off for designated holidays, the Town permits full-
22 time and part-time regular employees to take up to twenty (20) hours of paid
23 personal time annually for personal business that cannot be taken care of outside of
24 regular business hours and for religious observances, ethnic holidays, and other
25 events of personal significance. Personal time may also be used by employees with
26 disabilities for the purpose of securing necessary treatment.
- 27 B. Newly-hired, full-time and part-time employees who have completed at least ninety
28 (90) days of employment shall be entitled to a pro-rated number of personal hours
29 (1.666 hrs/mo) for the balance of the calendar year in which they are hired starting
30 with the first full month of employment.
- 31 C. Personal time is non-cumulative and must be used during the calendar year. There
32 shall be no carry over of personal time from year to year and there shall be no
33 payment for unused personal time at the end of any calendar year. Upon voluntary
34 resignation without cause or upon retirement, the employee will be paid for any
35 personal time not utilized prior to said employee’s resignation or retirement.
- 36 D. Except in emergency situations, the request for personal time must be made to the
37 Department Head or his/her designated representative at least one (1) week prior to
38 the requested day off. This approval of the request shall be in the sole discretion of
39 management and is not subject to the grievance procedure outlined in this
40 Handbook. Your supervisor considers workload priorities in determining whether to
41 approve such requests, however, full consideration is given to requests for holidays
42 of religious significance where reasonable accommodation is possible. **Ambulance**

1 **employees please see addendum at the end of Section 4 for department specific**
 2 **(MAS) processes.**

3 **Note:** Full-time and part-time regular employees regularly assigned to work less
 4 than the standard forty (40) hour work week shall have their Personal Time
 5 entitlement prorated based on the hours worked in relation to the standard forty (40)
 6 hour work week.

7 **SICK LEAVE**

8 A. The Town of Milford recognizes that, from time to time, employees may be unable to
 9 work because of illness or injury. The Town also recognizes that employees may
 10 require time off to secure necessary treatment for disabilities and ailments. For
 11 these reasons, the Town provides paid sick days to full-time and part-time regular
 12 employees. Long-term illnesses may be covered under the Town’s short-term
 13 disability and long-term disability plans. Please consult the appropriate policies
 14 provided to you for further details regarding these plans.

15 B. FMLA will run concurrent with Short Term Disability or Workers Compensation.

16 C. **Regular employees** working the standard forty (40) hour week are permitted to take
 17 up to sixty-four (64) hours of sick time annually, to be prorated for employees
 18 working less than the standard work week.

19 **New employees** shall accrue sick leave at a rate of five and one-third (5.33) hours
 20 per month beginning the first of the month following the month of employment for the
 21 first year of employment.

22 Non-exempt **probationary employees** may not charge sick leave in advance of
 23 accrual.

24 Thereafter, in January of each year, the employee will receive the full 64 hours per
 25 year.

26 See diagram below –**Accrual of Sick Time/Sick Conversion Timeline.**

If Hired During:		How Accrual of Sick Time and Sick Conversion Timeline Occurs				Sick Conversion Timeline	
1 st half of year	2 nd half of year		Process	Probation	Conversion	Jan (end of year 1)	Jan - (following year)
Hired		Year 1	Accrues sick time bi-weekly. At successful completion of probation, the full amount of sick time becomes available.	Ends July - Dec of same year.	Eligible for conversion as detailed in Section D below	Sick Conversion occurs	
	Hired	Year 1	Same as above.	Ends Jan - Jun of next year.	Not eligible for conversion until following year		Sick Conversion occurs
2 nd year and there-after			64 hours is available for use as of 1/1/xx			Jan of each year	

27

1 D. Conversion of Sick Leave – If an employee uses no sick time during the year, the 64
 2 hours would be converted to vacation time the following year and/or sick bank
 3 (prorated for part-time regular employee’s) based on the **Sick Leave Conversion**
 4 **Table** below:

Sick Leave Usage Conversion Table (based on full-time accrual) Town Non-Union/Teamsters		
Based on 40 Hours Per Week	Sick Hours to	Sick Hours to
64 Annual Sick Leave Hours	Convert to Vacation	Convert to Sick Bank
0 Sick Hours Used	40.00	24.00
.01-8 Sick Hours Used	40.00	16.00
8.01-16 Sick Hours Used	40.00	8.00
16.01-24 Sick Hours Used	40.00	0.00
24.01-32 Sick Hours Used	32.00	0.00
32.01-40 Sick Hours Used	24.00	0.00
40.01-48 Sick Hours Used	16.00	0.00
48.01-56 Sick Hours Used	8.00	0.00
56.01-64 Sick Hours Used	0.00	0.00

5
 6 An employee will be allowed to “bank” up to a maximum of 120 hours of sick time (in
 7 addition to the 64 hours allowed each year) in order to have time against which to be
 8 made “whole” during a period of short-term disability or worker’s compensation.

9 Receiving Worker’s Compensation and being out on WC leave does not factor into the
 10 process when calculating sick for the purpose of this conversion.

11 **Annual Maximum Accruals Chart** illustrated below (subject to change):

Years	Vaca Accr Hrs	Annual Max Hrs with Sick Leave Conversion
1-5	80	160
6-10	120	220
11-25	160	280
26 +	200	280

12 **NOTE:** Unused sick leave balances lapse and are not carried from year to year. No
 13 cash out of sick time or sick “banked” time would be made at termination or retirement.

14 E. **Short-term Disability** – In the event that a full-time regular employee uses sick
 15 leave in excess of forty (40) hours (per occurrence) and is enrolled in the Town of
 16 Milford Short-Term Disability Program, that employee shall be “made whole” by the
 17 Town for the duration of the Short-Term Disability absence not to exceed six (6)
 18 months after the employee has exhausted all sick/sick bank, personal, holiday and
 19 vacation time against which to charge payments, exempting, at any given time, a
 20 current balance of not more than forty (40) hours of annual leave prorated. That is,
 21 the Town shall pay the difference between that employee’s weekly rate of pay (less
 22 legal payroll deductions) and the amount received by said employee pursuant to the

1 Short-Term Disability Program when the employee has no available leave balance to
2 make himself/herself “whole.”

- 3 1. Since disability income is subject to income tax, regular weekly pre-tax gross
4 wages will be used as the basis of the calculation; overtime, bonuses, and
5 other supplemental payments will not be included.
- 6 2. When the employee is compensated for the absence by the Town’s short
7 term disability provider as a result of the illness, that income shall be
8 conveyed to the Town of Milford and applied towards the reinstatement of the
9 charged sick leave hours, thereby increasing the number of sick leave hours
10 available to that employee for the remainder of the year.
- 11 3. An employee on short-term disability leave will not receive a wage rate
12 increase as approved at the Annual Town Meeting until said employee
13 returns to full-time regular employment subject to performance review.
- 14 4. If an employee who returns to work following a six-month Short-Term
15 Disability Leave should have to go out on another Short-Term Disability
16 Leave (for the same condition) within ninety (90) days of that employee’s
17 return to work from the first Short-term Disability Leave, then the Town will
18 treat this event as the employee being on Long-Term Disability and will not
19 again make the employee “whole” during this second period of Short-Term
20 Disability absence except that the employee may use any unused leave time
21 he/she may have available against which to charge time. In this instance,
22 accumulation of all types of leave benefits will cease and insurance coverage
23 will remain in effect only with the direct pre-payment by the employee, to the
24 Finance Department, of the employee’s usual and customary share of the
25 monthly insurance premium(s) during the period of the Short-Term Disability.
- 26 5. Exceptions to the policy would require approval from HR and/or Town
27 Administrator.
- 28 6. Extended sick leave (2-3 weeks) outside of short-term disability or workers
29 compensation would be at the discretion of the Board of Selectman.
- 30 7. **Note:** The above provisions apply only to non-work related disabilities.
31 Work-related injuries or illnesses are covered by the Town’s Worker’s
32 Compensation Insurance Policy and F. below.
- 33 8. The made whole provisions of this section shall not apply to probationary
34 employees.

35 **F. Workers Compensation** – In the event that an employee has been injured while in
36 the performance of his/her duties, and that employee’s Workers’ Compensation
37 Claim is accepted, then that employee shall be “made whole” by the Town - for a
38 period not to exceed six (6) months from the date the injury occurred (excluding any
39 waiting period required by Workers’ Compensation law) - after the employee has
40 exhausted all sick/sick bank, personal, holiday and vacation time against which to
41 charge payments, exempting, at any given time, a current balance of not more than
42 forty (40) hours of annual leave, prorated. That is, the Town shall cover the
43 difference between the employee’s weekly rate of pay and the amount received by

1 said employee pursuant to the Workers' Compensation Program (less legal payroll
2 deductions, and less the amount of Federal Income Tax, FICA and Medicare the
3 employee would have had withheld from his/her regular weekly pay) when the
4 employee has no available leave balance to make himself/herself "whole."

- 5 1. Regular weekly pre-tax gross wages will be used as the basis for the
6 calculation - overtime, bonuses and other supplemental payments will not be
7 included.
- 8 2. Any sick leave hours charged as a result of this worker's compensation
9 absence will reduce the number of sick leave hours remaining to the
10 employee for the remainder of the year, however, this absence will be
11 considered "non-chargeable" sick leave hours towards the sick leave
12 incentive cash out at the end of the year.
- 13 3. When the employee is compensated for the absence by the Town's worker's
14 compensation provider as a result of the injury, that income shall be conveyed
15 to the Town of Milford and applied towards the reinstatement of the charged
16 sick leave hours, thereby increasing the number of sick leave hours available
17 to that employee for the remainder of the year.
- 18 4. An employee on worker's compensation disability leave will not receive a
19 wage rate increase as approved at the Annual Town Meeting until said
20 employee returns to full-time, regular employment - subject to performance
21 review.
- 22 5. If an employee who returns to work following a six-month worker's
23 compensation absence should have to go out on another worker's
24 compensation absence (for the same condition) within ninety (90) days of that
25 employee's return to work from the first worker's compensation absence, then
26 the Town will treat this event as the employee being on Long-Term Disability
27 and will not again make the employee "whole" during this second period of
28 worker's compensation absence except that the employee may use any
29 unused leave time he/she may have available against which to charge time.
30 In this instance, accumulation of all types of leave benefits will cease and
31 insurance coverage will remain in effect only with the direct pre-payment by
32 the employee, to the Finance Department, of the employee's usual and
33 customary share of the monthly insurance premium(s) during the period of the
34 worker's compensation absence.

35 G. At retirement (defined as 15 years of service to the Town and eligible to receive
36 regular service [not voluntary early] retirement benefits under the New Hampshire
37 Retirement System), the Town shall make a cash payment to retirees as follows:

- 38 1. Two hundred (200) hours, prorated for non-standard work weeks, times the
39 employee's regular rate of pay at the time of retirement to those individuals
40 employed by the Town as of December 31, 1997 and who retire after
41 December 31, 2004.
- 42 2. Individuals hired after December 31, 1997 shall not be entitled to any cash
43 payments at retirement.

- 1 H. Sick leave may be utilized for absences due to illness, injury, or exposure to
2 contagious diseases endangering the health of other employees; when
3 recommended by the attending physician; for medical, dental, or optical
4 appointments with prior approval of the employee's supervisor, and for death within
5 the immediate family in those rare cases where bereavement leave is not sufficient,
6 as determined by the Department Head. Sick leave shall be deducted on the basis
7 of hours used.
- 8 I. Notification of absence due to sick leave shall be given to the Department Head
9 within one (1) hour after the start of the work day of the first day of absence by the ill
10 employee or his/her designee. Repeat notification should be given for subsequent
11 days of illness. Failure to report such absence may, at the discretion of the
12 Department Head, be charged to leave without pay. All sick leave taken must be
13 reported by Department Heads (or designees) to the Finance Department on a bi-
14 weekly basis and to Human Resources by day 3 of an illness. **Ambulance**
15 **employees please see addendum at the end of Section 4 for department specific**
16 **(MAS) processes.**
- 17 J. Employees may be required to furnish the Department Head with a certificate from
18 an attending physician or other licensed healthcare practitioner when sick leave
19 exceeds 40 consecutive work hours. Such certificate shall contain a statement that,
20 in the practitioner's professional judgment, sick leave was, and is, necessary. The
21 Town will review such certification and determine whether it is adequate to justify the
22 use of paid sick leave. Exceptions to the standard policy may apply due to cases of
23 non-standard work week.
- 24 K. After consultation with the Department Head, if an employee who is on short-term
25 disability or collecting worker's compensation benefits is capable of returning to work
26 under the statutorily-authorized **Temporary Alternate/Light Duty Program**, in the
27 same capacity or another position within the Town, and the employee refuses to
28 return to duty, the Department Head shall have the option of terminating that
29 employee.
- 30 L. In accordance with Federal and State laws, a female employee who is unable to
31 work due to pregnancy shall be considered temporarily disabled and shall be
32 extended the same benefits and be subject to the same policies as any disabled
33 employee. The employee shall submit documentation from her attending physician
34 indicating the date she is no longer able to work and an estimated date as to when
35 she will be able to resume her duties. When the actual return-to-work date is
36 determined by the attending physician, it will be the employee's responsibility to so
37 inform her Department Head.
- 38 M. Paternity Leave may be permitted under the auspices of the Town of Milford Family
39 Medical Leave Act Policy. If an employee does not qualify for FMLA, he may be
40 permitted to use up to forty (40) hours of sick leave for Paternity Leave upon request
41 and with the authorization of the Department Head.
- 42