

Chapter 5 - Attendance and Leave

- A. The standard work week for every full-time regular employee - with due allowance for authorized holidays and leaves of absence with pay - shall be forty (40) hours per week.
- B. When the standard work week of forty (40) hours for the aforementioned employees is accomplished in less than five (5) days or by means of a work schedule that is outside the normal Monday through Friday, 8-hours per day schedule, those employees shall follow the "bank" system for leave as established in Chapter 3 for employees working a non-standard work week.
- C. Department Heads may exercise their discretion in determining the lengths of the shifts or work days, as long as the total of such shifts and work days in any one work week does not exceed the standard work week established by the Town for that department.
- D. The following pertains to employee organizations conducting business meetings, organizing, and contacting members of grievances during regular work hours:
1. Contacts made in accordance with the adjustment and appeal procedure are allowable.
 2. Organizational meetings shall not be held during working hours but they may be held on Town property outside of working hours after prior arrangement with the appropriate building administrator.
 3. Business agents of organizations should ask Department Heads for permission to conduct their business and state the reasons therefore.

OTHER AUTHORIZED ABSENCES

A. **Leave of Absence With Pay:**

A Department Head may, with the approval of the Town Administrator, authorize payments to employees whose leaves have been approved to permit them to take Educational Leave, visit other government agencies, attend as an elected delegate of the Constitutional Convention, or in any other approved manner to devote themselves to improvement of skills or knowledge of their work.

B. **Leave of Absence Without Pay – Personal:**

Upon approval of the Department Head and the Town Administrator, a full-time regular employee may, be granted a Leave of Absence Without Pay for personal reasons other than illness related (e.g., extended vacation, full-time semester in college, etc.) for a period ***not to exceed*** three (3) months.

C. **Leave of Absence Without Pay –Illness:**

When a full-time regular employee has exhausted his/her Short-term Disability benefits and is still unable to return to his/her position, then that employee **must** apply to the Town Administrator, through his/her Department Head, for a 3-month Leave of Absence Without Pay. Such leave shall be governed by the requirements and provisions of the Family and Medical Leave Act and shall run concurrent with said FMLA Leave. A 3-month extension of this Leave of Absence may be granted by the Town Administrator, if recommended by the Department Head, but the total period of Leave of Absence granted shall not exceed one (1) year from the initial date of illness or injury. Any remaining accumulated time off will be available to the employee upon request.

D. Leaves of absence, with or without pay, shall be counted towards the calculation for seniority as follows:

1. Employees who have been injured and who are eligible for (and have received) benefits under the Workmen's Compensation Program shall have reinstatement benefits in accordance with RSA 281-A:25-a. In general terms, this law allows reinstatement of an injured employee within an eighteen (18) month period after a workplace injury.

2. The Town of Milford will consider reinstating an employee, who has been disabled and who is eligible for (and has been granted) a Leave of Absence, in accordance with the Town of Milford Employee Manual, to his/her former position of employment upon request for such reinstatement if the position exists and is available and the employee is able to perform the essential functions of such position with or without reasonable accommodations for the employee's limitations. If the former position has been eliminated or is not available for any other reason, the Town **may consider** reinstating the employee in any other existing (alternative) position which is vacant and suitable for the employee with or without reasonable accommodations for the employee's limitations if any. A certificate by the employee's attending physician that the physician approves the employee's return to the employee's regular employment with reasonable accommodations for the employee's limitations, if applicable, shall be prima facie evidence that the employee is able to perform such essential functions. Eligibility for reinstatement terminates when any of the following events occur:

a. A medical determination by the attending physician or other bona fide authority that the employee cannot return to his/her former or alternate position of employment.

b. The employee accepts full-time employment from another employer.

c. Eighteen (18) months from the date of injury or illness.

d. Other terminable offenses and causes as outlined in the Town of Milford Employee Manual or other adopted Town rules, regulations, by-laws or ordinances

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

4. During any approved leave of absence, insurance coverage remains in effect for a period not to exceed one (1) year from initial date of illness or injury only with the direct prepayment by the employee to the Finance Department of the appropriate share of the monthly insurance premium(s). Following a one-year period of leave, the employee will be provided with the opportunity to COBRA insurance coverage with the employee bearing the entire cost of this coverage.

TERMINATION / RESIGNATION

A. Non-exempt employees desiring to terminate their employment relationship with the Town of Milford are requested to notify their Department Head and/or Supervisor at least two (2) weeks in advance of the intended date of termination. Preferably, such notice should be given in writing to the Supervisor and Department Head. Proper notice will generally allow the Town sufficient time to calculate all accrued overtime, when applicable, as well as other moneys to which the employee may be entitled and to include such moneys in the employee's final paycheck. Without proper notice, however, the employee may have to wait until the end of the next normal pay period to receive such payments.

B. Exempt employees desiring to terminate their employment relationship with the Town of Milford are requested to notify the Town Administrator and/or their Department Head in writing at least one (1) month in advance of the intended date of termination.

C. Employees who plan to retire are urged to provide the Town with a minimum of two (2) months notice. This will allow ample time for the processing of appropriate pension forms to insure that any retirement benefits to which the employee may be entitled commence in a timely manner.

D. As mentioned elsewhere in this Employee Manual, employees are again reminded that all employment relationships with the Town of Milford are on an "at will" basis. Thus, although the Town hopes that all relationships with employees are long-term and mutually rewarding, the Town reserves the right to terminate the employment relationship at any time with or without cause, reason or notice.

E. Exit interviews with the Human Resources Director are normally scheduled for outgoing employees upon voluntary resignation or notice of intent to retire. The purpose of these interviews is to review eligibility for benefit continuation and conversion, to insure that all necessary forms are completed, to collect all Town property that may be in the employee's possession, and to provide employees with an opportunity to discuss their job-related experiences.

F. The Town of Milford reserves the right to accept an employee's notice of resignation and to accelerate such notice and make the employee's resignation effective immediately, or on any other date prior to the employee's intended last day of work that the Town deems appropriate. In such instances, the employee will be paid only until his/her last day of employment or the two (2) week period as determined by the employer.