

**MAINE LEGISLATURE**

**Personnel Policies  
and Guidelines  
for Employees of the  
Office of the Secretary of the Senate  
and the  
Office of the Clerk of the House of Representatives**

**Revised  
October 2015**

**127<sup>th</sup> MAINE LEGISLATURE  
Presiding Officers**

**President of the Maine Senate**  
Senator Michael D. Thibodeau

**Speaker of the Maine House of Representatives**  
Representative Mark W. Eves

This Handbook of Personnel Policies and Guidelines was first adopted by the President of the Senate and the Speaker of the House on December 3, 2002 and further revised by the Presiding Officers of the 123<sup>rd</sup> Legislature in December 2008, further revised in September 2011, and further revised in December 2012 and April 11, 2014, consistent with the personnel policies and salary schedules established by the Legislative Council, and further revised by the 127<sup>th</sup> Legislative Council on October 22, 2015

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**INTRODUCTION**

The President of the Senate presides over the Maine Senate and Senate offices, including the Office of the Secretary of the Senate. As such employees in Senate offices are employees of the Senate and are subject to the operating policies and direction established by the President. In similar fashion, the Speaker of the House presides over the House of Representatives and House offices, including the Office of the Clerk of the House. As such, employees in House offices are employees of the House and are subject to the operating policies and direction established by the Speaker of the House.

Among its various responsibilities, the Legislative Council is charged with establishing, and modifying from time to time as appropriate, salary schedules and benefits for legislative employees, terms and conditions of employment, legislative operations and organization, policies and operational procedures and working conditions. Of note, the Legislative Council is authorized by law to oversee the development of “relatively uniform salary schedules for Clerk and Secretary employees and, notwithstanding any other provision of law, to establish benefit schedules for legislative employees.” It also is responsible for maintaining and improving legislatively controlled facilities and space.

The Legislative Council has established a standing Personnel Committee to assist the Council and the presiding officers in fulfilling its human resources responsibilities, promoting effective legislative operations and maintaining a work environment that balances the needs of legislative employees and the demands of the legislative process.

This Handbook of personnel policies and guidelines is designed to provide legislative employees of the Office of the Secretary of the Senate and the Office of the Clerk of the House (sometimes referred to collectively as “Clerk and Secretary employees”) with a compilation of the personnel policies that the President of the Senate and the Speaker of the House have adopted consistent with the policies and salary schedules adopted by the Legislative Council. It codifies existing policies in some areas and establishes formal policies based on existing practices in other areas. This Handbook supersedes all earlier publications and policies. As the President of the Senate and the Speaker of the House jointly or the Legislative Council for areas within its jurisdiction revise these policies and guidelines, the changes will be incorporated as revisions to this Handbook and made available to Clerk and Secretary employees.

This Handbook, as with other policies, handbooks, manuals or memoranda, is not a contract. It is not intended to and does not bestow any rights to employment or employment benefits to legislative employees and may not be relied on by employees to do so. Clerk and Secretary employees are employees at will and serve at the pleasure of their appointing authority. Any policy or procedure contained in this Handbook or otherwise established by the presiding officers is subject to change, with or without prior notice, by

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the President of the Senate and the Speaker of the House (herein after sometimes referred to as the “presiding officers”).

It is each legislative employee's responsibility to become familiar with and abide by the policies and guidelines contained in this Handbook and to seek clarification or further direction from the employee’s appointing authority in the event of any questions as to legislative policies or practices. The policies and guidelines contained herein are binding on all Clerk and Secretary employees. Employees are encouraged to make suggestions regarding additions or amendments to these policies through the Secretary of the Senate for employees of the Office of the Secretary of the Senate, through the Clerk of the House for employees of the Office of the Clerk of the House and to the Legislative Council’s human resources director. Suggestions regarding changes to existing policies or adoption of new policies will be reviewed, and may be referred to the Council's Personnel Committee for review and recommendation to the presiding officers.

The presiding officers authorize the executive director of the Legislative Council to update this Handbook to keep the information current and in accordance with current law and State and Presiding Officer policies.

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**I. ORGANIZATION OF THE OFFICE OF THE CLERK OF THE HOUSE AND  
THE OFFICE OF THE SECRETARY OF THE SENATE STAFF**

**I. ORGANIZATION OF THE OFFICES OF THE CLERK AND THE  
SECRETARY STAFF**

Clerk and Secretary employees include persons employed in the following legislative offices:

- Office of the Clerk of the House of Representatives
- Office of the Secretary of the Senate

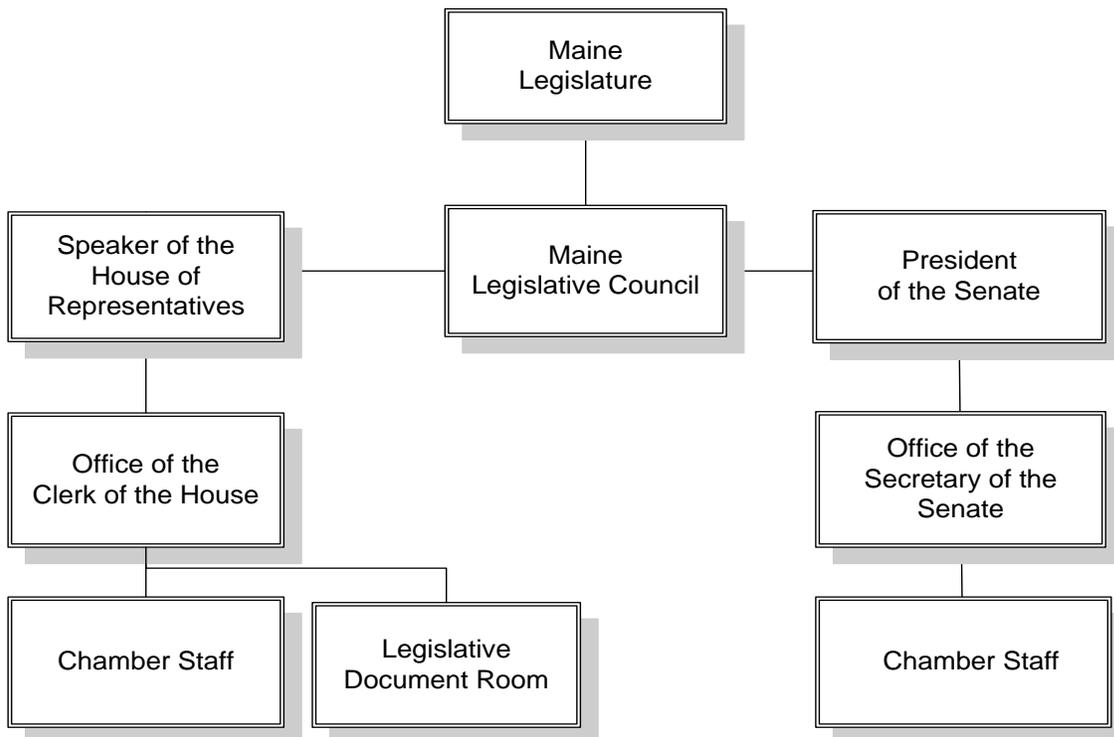
The organization and staffing of all Senate and House offices are governed by the Maine Revised Statutes (3 MRSA §168), the Joint Rules, Senate and House rules and orders of each chamber. The Secretary of the Senate, the Assistant Secretary, the Clerk of the House and the Assistant Clerk, are elected to their positions at the beginning of each legislature. The Secretary and Clerk have responsibility for the management, supervision, assignment of work and overall direction of their respective offices, and they are accountable to the President of the Senate and the Speaker of the House, respectively for the performance of their offices.

The Legislature has established organizational relationships among the Clerk and Secretary staff offices and between these offices and the presiding officers and the Legislative Council as depicted on the following organizational chart.

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**Organizational Chart  
For  
Office of the Clerk of the House of Representatives and  
Office of the Secretary of the Senate**



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**II. GENERAL EMPLOYMENT POLICIES**

- A. NONDISCRIMINATION IN EMPLOYMENT**
- B. RELATIVES WORKING FOR THE LEGISLATURE**
- C. APPOINTMENT AND EMPLOYMENT STATUS**
- D. RE-EMPLOYMENT AFTER RETIREMENT**
- E. HOURS OF EMPLOYMENT**
- F. ALTERNATIVE WORK SCHEDULES**
- G. PAYROLL INFORMATION**
- H. EARLY RELEASE OR DELAY OR CANCELLATION OF REGULAR  
WORK DAY**
- I. OUTSIDE EMPLOYMENT AND ACTIVITIES**
- J. PERSONNEL RECORDS**
- K. RESIGNATION FROM EMPLOYMENT**
- L. DISCIPLINARY ACTIONS AND APPEALS**
- M. SMOKING IN THE WORKPLACE**
- N. SECURITY AND ACCESS**
- O. FIRE ALARMS OR OTHER BUILDING EMERGENCIES**

## **II. GENERAL EMPLOYMENT POLICIES**

### **A. NONDISCRIMINATION IN EMPLOYMENT**

The Legislature, including the Clerk of the House and the Secretary of the Senate, subscribes to a policy of nondiscrimination in hiring and employment consistent with State and federal law. The Office of the Clerk of the House and the Office of the Secretary of the Senate will make hiring and employment decisions without regard to race or color, sex, sexual orientation, marital status, physical or mental disability, religion, ancestry or national origin, or age.

The Clerk of the House and the Secretary of the Senate are responsible for working with the executive director of the Legislative Council to periodically assess existing practices and assure such nondiscrimination in the workplace.

### **B. RELATIVES WORKING FOR THE LEGISLATURE**

It is the policy of the Legislature to prohibit employment, promotion into or transfer to any position in the Legislature that would result in a situation where there would be a direct supervisory-subordinate relationship between immediate family members. This policy applies to relationships between employees and between employees and legislators. “Immediate family members” means the spouse, parent, stepparent, father-in-law, mother-in-law, child, stepchild, sibling or brother-in-law or sister-in-law of the legislative employee.

The final decision of whether a person will be hired or promoted by a legislative office may not be made in part or wholly by a person related to the job candidate by consanguinity, or affinity, within the 4<sup>th</sup> degree. Nothing in this prohibition, however, shall deprive an applicant or employee of full consideration for hiring or promotion into a legislative position.<sup>1</sup>

### **C. APPOINTMENT AND EMPLOYMENT STATUS**

All Clerk and Secretary staff positions are unclassified and not subject to the civil service law. As provided by 26 MRSA §979 et seq., Clerk and Secretary employees are prohibited from forming or joining unions or otherwise bargaining collectively.

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<sup>1</sup> See 5 MRSA §7051(3).

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Subject to approval by their respective presiding officer and within budgetary constraints, the Clerk of the House and the Secretary of the Senate are authorized to hire qualified employees to legislative staff positions within their respective offices. In addition, the Secretary and Clerk also hire chamber staff subject to approval by the presiding officer. For the purposes of these personnel policies, the following terms shall have the following meanings:

*“Full-time employee”* is a legislative employee who works a regular schedule of 40 hours per week on a year round basis and occupies a position that is authorized to be filled 40 hours per week, 52 weeks a year.

*“Part-time employee”* is a legislative employee who works a regular schedule, on a year round basis that is less than 40 hours per week. Two employees who share a single full time position (i.e. “job share”) are considered part-time employees.

*“Session employee”* or *“Session-only employee”* is a legislative employee who is generally employed only during periods when the Legislature is in session. The session employee’s employment may be extended for other limited periods with appropriate authorization. A session employee will be informed of the approximate date of termination of employment at the time the employee is hired. The session employee’s employment is intermittent in nature.

**1. Establishing Work Anniversary Dates**

Except as provided below, the initial date of hire into a position is considered the employee’s work anniversary date for the purpose of annual performance reviews and step increases. When an employee is promoted into a new position or takes an unpaid leave of absence for a period of more than 6 months within any 12-month period, the Clerk of the House or the Secretary of the Senate, as applicable, after consultation with the Office of the Executive Director, shall establish a new anniversary date for that employee that coincides with the effective date of the promotion or is proportionately adjusted for the term of the leave of absence, unless prohibited by law.

For part-time or session employees, the employee’s work anniversary date for the purpose of annual performance reviews and step increases will be established once the following two conditions are met: the employee has been in the current position for exactly one year and the employee has successfully completed the probationary period for that position. The employee’s work anniversary date will be either the date of hire or the date the employee successfully completes the probationary period, whichever is later. Thereafter, the part-time or session employee is eligible for step increases annually on the employee’s

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work anniversary date. In the event of a part-time or session-only employee who has not yet met the 2,080 work hour requirement of the previous policy, but does meet the new requirements of one year of employment in the position and completion of the employee's probationary period for the position, that employee's anniversary date will be established as follows for purposes of annual performance reviews and step increases: October 1, 2015 for part-time employees and the date of return from session leave for session-only employees.

**2. Employee At Will Status**

Clerk and Secretary employees are employees at will and serve at the pleasure of their appointing authority. The appointing authority may terminate the employment of a person within his or her employ without cause at any time. Termination of an employee at any time during the probationary period is not subject to the provisions of the Office of the Clerk of the House's or the Office of the Secretary of the Senate's Disciplinary Actions and Appeals policy.

An employee whose employment is terminated is entitled to compensation through the date of termination only.

**3. Acting Capacity Status**

When the Secretary of the Senate or the Clerk of the House directs a qualified Clerk or Secretary employee to fill a higher salary grade position for a period of more than 15 consecutive business days due to an extended vacancy in that position or the extended absence of the employee who occupies that position, the employee is considered to be in an acting capacity status. While in acting capacity status, the employee is entitled to be paid at the salary step in the salary grade of the higher classified position that is 4.5% higher than the employee's current rate of pay in the employee's regular position, retroactive to include the 15 business day period. The Clerk or the Secretary may not place an employee in an acting capacity status for a period that exceeds 15 business days without prior approval from the Clerk's or the Secretary's presiding officer. Assignment of work for purposes of cross-training for limited periods does not constitute "acting capacity."

**D. RE-EMPLOYMENT AFTER RETIREMENT**

In some circumstances, State employees, including legislative employees, retire from State service and may wish to return to employment with the Legislature. Except for the Clerk, Assistant Clerk, Secretary and Assistant Secretary who are elected by the Legislature, the following provisions with respect to re-employment with the Legislature apply. The retired employee:

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- Must apply and compete for the position, with no assurance of re-employment into the employee's former or another position. Job qualifications and current requirements for posting of position vacancies and procedures for filling positions remain in effect;
- May not carry forward vacation, legislative leave or compensating time leave credits, and will accrue vacation and legislative leave at the lower rates;
- Will not be eligible for a longevity stipend;
- Will be a probationary employee upon reemployment, subject to all provisions applicable to probationary employees;
- May have previously unused sick leave balances restored upon reemployment, excluding any sick leave that was applied to the employee's retirement benefit;
- May participate in group health insurance plan for retirees, if eligible, but may not participate in the plan for active employees; and
- Will be placed in a salary step in the position's salary schedule that is determined by the employee's appointing authority, with no assurance of a salary grade or step equal to that of the employee's former position.

A retired employee may not be re-employed by the Legislature for at least 30 days following the date of retirement.

Certain other re-employment rules may apply. See 5 MRSA §17859. Employees should consult with the Maine Public Employees Retirement System for additional information specific to their individual situation by calling 512-3100 or (800) 451-9800.

**E. HOURS OF EMPLOYMENT**

The Legislature's regular business hours are 8:00 a.m. to 5:00 p.m. Monday through Friday, year-round, exclusive of state-observed holidays although the Clerk and the Secretary may extend the hours of their offices to benefit the Legislature. The offices of the Clerk of the House and the Secretary of the Senate offices are open to serve the Legislature and the public during these hours. In addition, the offices remain open at other times when the Senate or the House of Representatives is in session. Except when legislative or other operational needs prevent it, legislative employees are normally afforded a one-hour lunch break daily.

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The appointing authority determines the specific work schedules of employees, and any variations by an employee from the standard work schedule are subject to the prior approval of the employee's appointing authority or his or her designee. Employees are responsible for ensuring that their immediate supervisors are notified of any unscheduled absence as soon as possible.

The legislative process, by its nature, often requires work outside of these normal business hours, and legislative employees are expected to work whenever the Legislature is in session. The Clerk and the Secretary are responsible for scheduling work in a manner that is responsive to the requirements of the legislative process, and all Clerk and Secretary employees are expected to be available for work in accordance with schedules established by the Clerk of the House and the Secretary of the Senate. The Clerk and the Secretary determine their employees' schedule for lunch and other breaks.

**F. ALTERNATIVE WORK SCHEDULES**

A Clerk or a Secretary employee who wishes to work the assigned number of hours but on a schedule that is other than 8:00 a.m. - 5:00 p.m. during periods when the Legislature is not in session and when operational needs allow should discuss an alternative work schedule with the Clerk or the Secretary, as appropriate. An alternative work schedule generally may not include regularly scheduled work before 7:30 a.m. or after 6:00 p.m. but must include a scheduled lunch break of at least ½ hour daily. All other alternative work schedules, including a reduced work week schedule, also require the prior approval of the Clerk or the Secretary. The employee's appointing authority has final authority for determining the feasibility of such arrangements and for approving an alternate schedule for a Clerk or Secretary employee. The Clerk and the Secretary, as applicable, may cancel alternative work schedules upon prior written notice to the employee.

**G. PAYROLL INFORMATION**

Legislative employees are paid on a biweekly basis, for work for the prior two (2) weeks. Bi-weekly payroll disbursements are credited to the employee, through direct deposit to the employee's designated financial institution, ordinarily on a Wednesday. Payroll deductions are made for items such as federal and state taxes, retirement contributions, health, life, dental and vision insurances, medical expense and dependent care reimbursement accounts, MSECCA and deferred compensation.

A legislative employee may choose the participating financial institution(s) into which the employee's paycheck is to be deposited. Most local banks and credit unions participate in this service. There is no State charge for this service. Applications for direct deposit may be obtained from the executive director's office.

Expense voucher reimbursements will be made by direct deposit into the employee's designated account.

## **H. EARLY RELEASE OR DELAY OR CANCELLATION OF REGULAR WORK DAY**

Under most circumstances, legislative offices will be open during regular business hours. On rare occasions, due to adverse weather conditions or emergency situations, it may become necessary to delay or cancel the regular workday or close legislative offices early. A decision to delay or cancel the regular workday or close legislative offices early rests with the President of the Senate, Speaker of the House and chair of the Legislative Council for their respective employees. The presiding officers and the chair of the Legislative Council may authorize the release of all legislative employees or may require that certain legislative offices open or remain open through to the regular close of business at a reduced staffing level.

The offices of the Clerk of the House and the Secretary of the Senate will be open during regular business hours unless the President of the Senate and the Speaker of the House authorize a change in hours in the event of adverse weather or other emergency situation. Unless the Governor issues a proclamation under the Governor's emergency powers that orders the closure or evacuation of state offices, the Governor's decision to close state offices applies only to executive branch employees, not to legislative employees. If a public service announcement relating closure of state offices makes no specific reference to the Legislature, legislative employees are expected to report to work at the regularly scheduled time.

When a decision has been made to delay or cancel the regular workday or close legislative offices early, the following procedures will be used to notify employees.

### **1. For a Delay or Cancellation of Regular Work Day**

**Notification to office directors.** The presiding officers and the chair of the Legislative Council will notify the executive director of the Legislative Council of the decision to delay or cancel a regular workday. The executive director will notify the House Clerk, Senate Secretary and Legislative Council office directors by telephone and email, if available. The House Clerk will then notify the chief of staff in each House office and the Senate Secretary will then notify the chief of staff in each Senate office.

**Voice Mail.** Each office should establish a voice mail system that allows office employees to call into their office via a designated number to receive a voice mail message regarding work hours. Offices may also establish a phone tree for notifying employees of a delay in the start or cancellation of work.

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**Media.** Notices will generally be aired on the following television and radio stations:

WCSH TV – Portland  
WGME TV – Portland  
WABI TV – Bangor  
WMTW TV – Auburn  
WAGM TV – Presque Isle

WABK FM 104.3 – Augusta  
WMME FM 92.3 – Augusta  
WGAN AM 560 – Portland  
WABI AM 910 – Bangor

NOTE: A diligent effort will be made to have the notices aired by 6:30 a.m., although there is no guarantee that the station will actually air them by that time. If a legislative employee has any questions about whether to report for work, the burden is on the employee to contact his or her supervisor.

**Internet.** Look for a notice on the Legislature’s Home Page ([www.maine.gov/legis/](http://www.maine.gov/legis/)). Information may also be posted on the State of Maine’s homepage, under “Citizen Alert”.

**LENS.** The Legislature has established a Legislative Emergency Notification System (LENS) to notify Legislative employees and others of delays or cancellations of the workday or other events of an emergency nature via automated email, text messages and telephone messaging. LENS is the primary mode of communicating these events to employees during non-work hours. All Legislative employees should promptly register for LENS alerts. Information about LENS may be obtained through the executive director’s office.

## **2. For an Early Closure of Legislative Offices and Release of Employees**

**Notification to office directors.** The presiding officers and the chair of the Legislative Council will notify the executive director of the Legislative Council of a decision to close legislative offices earlier than the usual closing time. Early release of legislative employees may be staggered to prevent traffic congestion or hazards or to coordinate the release of employees with the Executive Branch. Unless otherwise specified by the presiding officers and the chair of the Legislative Council, all legislative employees are expected to report to work at the regular time on the following workday.

The executive director will notify the House Clerk, Senate Secretary and Legislative Council office directors by telephone, fax or email of the time of an authorized closure of legislative offices. The House Clerk will then notify the chief of staff in each House office and the Senate Secretary will then notify the chief of staff in each Senate office. The directors of each office are responsible for notifying legislative employees in their office of

the early release. The executive director will ordinarily also send an email to all heads of legislative offices.

Upon a decision to close legislative offices early, a committee may not continue to meet without the express authorization of the presiding officers, notice of which must be given to the executive director's office. For committee hearings and work sessions that are on-going at the time of an early release notice, the Legislative Information Office is responsible for notifying committee chairs and staff of the early release. Committee staff are responsible for assuring the prompt and orderly termination of the hearing or work session.

The Legislature does not expect legislative employees to risk their life or health to report to work in extreme weather conditions or emergency situations; however, employees have an obligation to notify their supervisor of their decision to not report to work or to leave early due to the extreme weather or emergency conditions. In addition, such employees must use accrued vacation, compensatory or legislative leave for all such absences during regularly scheduled business hours unless administrative leave is granted by the presiding officers or the chair of the Legislative Council for their respective employees. In the event that there is a delay, cancellation or early release because of an adverse weather condition or an emergency, legislative employees who have received prior approval to use paid or unpaid leave for that day must use that leave as originally approved.

Except as otherwise provided in a collective bargaining agreement affecting covered legislative employees, when such administrative leave is granted, an employee who is affected by an early closure, delay or cancellation of a regular work day is entitled to receive paid administrative leave for all cancelled hours for which an employee is absent from work. When the total of that employee's actual hours worked and hours of paid leave (other than administrative leave granted under this article) is equal to or greater than 40, the employee is entitled to receive compensating time on an hour-for-hour basis for administrative leave credited for the cancelled hours.

When the total of that employee's actual time worked and time on paid leave (other than the administrative leave granted under this article) is less than 40, administrative leave under this article shall be counted toward a full 40 hours of pay with any remaining administrative leave time beyond the regular work week compensated as compensating time on an hour-for-hour basis.

## **I. OUTSIDE EMPLOYMENT AND ACTIVITIES**

The Legislature's salary plan and benefits package reflect the Legislature's financial support for its legislative employees and its expectation that legislative employees will devote their full energies to their legislative employment. Clerk and Secretary employees who are employed by the Legislature on a full-time basis may not be otherwise employed

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in any activity that creates a conflict of interest in appearance or substance, or in any way conflicts with their ability to perform their duties for the Legislature. These activities include those for which the employee is paid and those for which the employee volunteers.

This policy does not necessarily preclude outside employment. However, the needs of the Legislature take precedence over any outside activity; thus, employees who have other work or organizational commitments must be prepared to either modify or suspend their involvement in order to fulfill their employment obligations to the Legislature.

Whenever it appears that outside employment or activities may create a conflict of interest or the appearance of a conflict of interest, the employee has an affirmative obligation to disclose the potential conflict of interest to the Clerk of the House or the Secretary of the Senate, as appropriate. The Clerk or the Secretary shall review the matter and determine whether a conflict exists such that the outside activity should be curtailed or suspended. If any employee disagrees with the decision of the Clerk or the Secretary, the employee may request that the respective presiding officer review the decision. The presiding officer's decision is final.

It is the policy of the presiding officers and the Legislative Council that no employee may accept honoraria, fees or other compensation from other than the Legislature for services related to the employee's legislative employment. This policy does not prohibit an employee from being reimbursed for reasonable expenses incurred for making presentations at conferences or meetings approved by the Clerk or the Secretary, as applicable.

**J. PERSONNEL RECORDS**

The Clerk and the Secretary are responsible for maintaining files for all employees in their respective offices that include documentation of every action which affects classification or employment status, including notification of appointment, transfer, promotion, demotion, dismissal, change of salary rate, leave of absence, and other changes in status and records relating to employees' work performance. The Office of the Executive Director is responsible for maintaining personnel files for all legislative employees that relate to an employee's appointment, promotion or other employment status, salary rates and benefits history, payroll deductions and tax withholdings, leaves of absence, residence and mailing address, contacts in the event of an emergency and changes in status. The Clerk and the Secretary are responsible for providing prompt written notice to the Office of the Executive Director of the hiring or termination of employment of a Clerk or Secretary employee or any change in a Clerk or Secretary employee's position or salary rate.

An employee, while still in the employ of the Legislature, is permitted to review his or her personnel file upon written request to, or after prior arrangements with, the Clerk or the Secretary, as applicable (or with the Office of the Executive Director if the information is located in the Office of the Executive Director). The review shall take place during regular

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business hours and shall be conducted under the supervision of the Clerk, the Secretary or the executive director, as applicable, or their designees. Upon request, an employee shall be provided a copy of the employee's personnel file in a timely manner.

Files established and maintained at the Clerk's office or the Secretary's office level are for the purpose of documenting job requirements and performance. When an employee leaves legislative employment, the employee is entitled to receive in a timely manner, upon written request to the Clerk or the Secretary, as applicable, by the employee, a copy of performance appraisals and evaluations on file.

The Clerk and the Secretary are responsible for ensuring that complete records of regular or overtime hours worked and of all leave accrued or taken for each employee are reported to the Office of the Executive Director as required. Among other purposes, these records provide the basis for the preparation of payrolls by the executive director's office.

**1. Confidential Records**

The following records within employees' files are confidential, in conformance with state law (5 MRSA §7070):

- \* Medical information of any kind, including information pertaining to diagnosis or treatment of physical, mental or emotional disorders;
- \* Performance evaluations and personal references submitted in confidence;
- \* Information pertaining to the credit worthiness of a named employee;
- \* Information pertaining to the personal history, general character or conduct of members of the employee's immediate family;
- \* Personal information pertaining to the employee's race, color, religion, sex, national origin, ancestry, age, physical disability, mental disability and marital status; social security number; home telephone number and home address; and personal employment choices pertaining to elected payroll deductions, deferred compensation, savings plans, pension plans, health insurance and life insurance;
- \* Except as provided in 5 MRSA section 7070-A, complaints, charges or accusations of misconduct, replies to those complaints, charges or accusations and any other information or

materials that may result in disciplinary action. If disciplinary action is taken, the final written decision relating to that action is no longer confidential after the decision is completed if it imposes or upholds discipline; and

- \* Other information to which access by the general public is prohibited by law.

## **2. Changes in Name and Address and Other Employee Information**

Clerk and Secretary employees are responsible for promptly reporting all changes in names, address or marital or other family status to the Clerk of the House or Secretary of the Senate, as applicable, and to the Office of the Executive Director when there is a change in information or status. This information is important for tax, payroll and benefit and other purposes, so it is crucial that employee information maintained by the Office of the Executive Director is current and accurate at all times.

## **K. RESIGNATION FROM EMPLOYMENT**

The quality of the legislative process and of legislative staff support to that process is highly dependent on the continuity of staff assignments during the course of the legislative session. Legislative employees are expected to commit to their legislative employment through adjournment sine die of the legislative session.

Clerk and Secretary employees shall submit a written notice of resignation to the Clerk or the Secretary, as applicable, at least fourteen (14) calendar days prior to the effective date of the resignation. It is expected that the employee who is resigning in good standing will work during this 14-day period. However, if the resignation occurs while the Legislature is in session, the employee must provide at least thirty (30) calendar days' notice of resignation. It is expected that an employee who is resigning in good standing will work during this 30-day period. The Clerk and the Secretary are responsible for conveying such notification, including the effective date of resignation, promptly to their presiding officer and the Office of the Executive Director. An employee's failure to give the required notice is considered a violation of this policy, and will be noted in the employee's personnel file and may be cause for denying the employee future employment with the Legislature.

The resignation notice period may be waived by the mutual agreement of the Clerk or the Secretary, as applicable; any such waiver must be in writing.

## **L. DISCIPLINARY ACTIONS AND APPEALS**

The Legislature recognizes the importance of a working environment that is consistent and fair, within the constraints imposed by the pressures of the legislative process itself. To

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that end, the presiding officers and the Legislative Council are committed to assuring that the personnel policies they adopt are administered fairly and expeditiously.

The presiding officers have authorized the Clerk and the Secretary to take appropriate disciplinary action when an employee in their respective office has violated established policies, engaged in other misconduct or whose job performance is unsatisfactory. Disciplinary action is generally taken for remedial purposes, and reasonable efforts will be made to ensure that disciplinary action, when appropriate, is administered fairly and consistently. Provisions for immediate disciplinary action are described below.

The Clerk and the Secretary, as applicable, have the primary responsibility for assuring that all allegations of misconduct or other complaints against an employee for which disciplinary action may be taken are investigated before any disciplinary action against an employee is taken.

**1. Actions Warranting Immediate Disciplinary Action**

It is the Legislature's general policy to follow the principle of progressive discipline as outlined above; however, the following disciplinary actions constitute cause for immediate demotion, suspension or dismissal. These include the following or violations of similar magnitude as determined by the presiding officers:

- a. Political or partisan activity as described in this Handbook (See Section III. B.);
- b. Insubordination constituting a serious breach of discipline;
- c. Disgraceful personal conduct that impairs the employee's work performance or brings serious discredit to the Legislature;
- d. Use of the employee's position for personal advantage;
- e. Dishonesty, or falsification of legislative or other state records;
- f. Consumption of alcoholic beverages or use of illegal substances in the workplace or working while under the influence of either in the workplace; or
- g. Assault, or sexual or other illegal harassment.

**M. SMOKING IN THE WORKPLACE**

Clerk and Secretary employees are prohibited from smoking in the State House or the Cross Building or at any other location on the State House complex except in areas on the grounds that have been specifically designated for smoking purposes.

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In addition, the Legislature is committed to providing a work environment that is smoke-free by enforcing its anti-smoking policy to so that legislative employees are not subjected to secondhand smoke.

**N. SECURITY AND ACCESS**

The Legislative Council has instituted various measures designed to provide a comfortable and safe environment for Legislators, legislative employees and visitors while in the State House and other legislative areas. Among the measures is a security access card system that provides access control to the State House and Cross Building outside of regular business hours and to various legislatively controlled rooms and offices within the buildings. The Clerk and the Secretary are responsible for establishing building and room access rights, schedules and limitations for their respective employees, subject to approval by their respective presiding officer. The Legislative Council and presiding officers authorize the executive director of the Legislative Council to establish access rights, schedules and limitations, without further approval required, for a legislative employee when such access is limited to access to the State House or the Cross Building, the employee's office and photocopying rooms.

Upon employment with the Legislature, a legislative employee is issued a security access card. The employee must keep the access card in his or her custody and must present it upon request by a Capitol Security or other law enforcement officer. An employee may not loan or otherwise transfer the employee's card to another person, or use the card to grant access to areas for another person who is not authorized such access. The card remains the property of the Legislature and must be surrendered upon request by the employee's appointing authority or upon termination of legislative employment. A legislative employee shall promptly report a lost, stolen or damaged access card. The Legislature may charge an employee for replacement of the card, after the first replacement.

For further information or to report a lost, stolen or damaged security access card, legislative employees should contact the executive director's office or the Deputy Director, Office of Legislative Information Services. The Deputy shall notify the Clerk or Secretary of any reissuance or card status changes for their respective employees.

**O. FIRE ALARMS OR OTHER BUILDING EMERGENCIES**

The Legislative Council has installed fire detection and suppression systems and established procedures for the safety of persons in the State House and other legislative areas. Upon activation of a fire alarm or issuance of a building evacuation order by an authorized official, legislative employees must immediately secure their office areas and leave the building to designated locations, in accordance with building emergency plans and procedures. An employee who violates this policy is subject to disciplinary action.

**III. GENERAL STANDARDS OF EMPLOYEE CONDUCT**

- A. LEGISLATIVE CONFIDENTIALITY**
- B. POLITICAL ACTIVITY**
- C. TESTIFYING BEFORE LEGISLATIVE COMMITTEES**
- D. PERSONAL BEHAVIOR AND DRESS**
- E. RESERVED**
- F. SEXUAL HARASSMENT**
- G. ACCEPTANCE OF GIFTS**
- H. VIOLENCE IN THE WORKPLACE**

### **III. GENERAL STANDARDS OF EMPLOYEE CONDUCT**

#### **A. LEGISLATIVE CONFIDENTIALITY AS APPLIES TO NONPARTISAN EMPLOYEES**

Maine's Freedom of Access Law (1 MRSA §401 et seq.), requires information defined under the law as “public records” to be open to public inspection and copying. Among other exceptions, however, the law provides an exception to the disclosure requirement for public records for the following legislative documents:

Legislative papers and reports until signed and publicly distributed in accordance with legislative rules, and records, working papers, drafts and interoffice and intraoffice memoranda used or maintained by any Legislator, legislative agency or legislative employee to prepare proposed Senate or House papers or reports for consideration by the Legislature or any of its committees during the legislative session or sessions in which the papers or reports are prepared or considered or to which the paper or report is carried over (1 MRSA, §402, sub-§3, ¶C).

While the Legislative Council supports public access to information concerning the legislative process, the Legislative Council must balance that access with the need to protect certain oral and written communications that, if disclosed, would hinder the legislative process. The Legislative Council has, therefore, adopted the following policies and procedures to govern disclosure of records that are excepted from the definition of “public records”, information contained in those records and disclosure of certain oral communications.

#### **1. Policies and Procedures**

Confidentiality is a responsibility shared by both legislators and legislative employees. Legislative employees must treat the following documents and communications as privileged communications and, therefore, confidential unless the Legislator or other authorized person has given express permission to do otherwise. Legislative employees shall exercise diligence in protecting the confidentiality of these documents and communications, which includes taking appropriate steps to reasonably assure the security of these materials. Confidential information may be shared among other non-partisan legislative employees when necessary to carry out legislative functions, in accordance with procedures established by the executive director.

#### **2. Bill Drafts and Committee Reports and Amendments**

Pursuant to 1 MRSA, §402 sub-§3, ¶C, legislative papers, reports, drafts and interoffice and intraoffice memoranda that relate directly to a specific request for drafting of a bill, order or amendment are not public records during the legislative session or sessions in

which the papers or reports are prepared or considered or to which the paper or report is carried over and, therefore, are not subject to public disclosure during the legislative session(s).

Only the sponsor, committee or other requesting entity permitted by law or rule to file legislation may request that a non-partisan legislative employee prepare or revise any draft of a bill, order or amendment. During the course of their legislative work, non-partisan legislative employees may seek necessary drafting-related information of the requestor, the requestor's designee, or other knowledgeable persons without divulging the specific request.

Non-partisan legislative employees may release drafts of bills, orders, amendments, or other records, working papers and interoffice and intra-office memoranda only to the sponsor or requesting entity unless that person or entity specifically authorizes the release to other persons in person, in writing or orally.

Bill drafts, orders, amendments or other related information are no longer considered confidential once that information has been presented or distributed to a committee in a public hearing or work session or printed and distributed to the House or the Senate for reference or other action.

### **3. Requests for Assistance or Information**

Under Legislative Council policy, a legislator's request for assistance, advice, or information is regarded as confidential. No information concerning these requests may be divulged by nonpartisan legislative employees unless the Legislator or other authorized requestor specifically authorizes release to another person in writing or orally. During the course of their legislative work, non-partisan legislative employees may seek necessary information of the requestor, the requestor's designee, or other knowledgeable persons without divulging the specific request.

### **4. Release of Certain Information Authorized**

Following the cloture date for submission of bill requests, Legislative Council offices shall make public the titles of bills, names of primary sponsors and the policy area to which the bills may relate, at the direction of the Legislative Council.

Upon the specific request of a presiding officer, the Secretary of the Senate or the Clerk of the House, the executive director or office director shall release to the presiding officer information on the number and status of bills, amendments and orders not yet released, as requested by the presiding officer. Prior to the first regular session of the 124th Legislature and notwithstanding the confidentiality provisions, each Leader, the Secretary of the Senate and the Clerk of the House only must be given sufficient access to the amendment tracking system for the limited purpose of generating summary reports showing the number of

unreleased floor amendments filed by legislators that relate to impending action on bills in the House and the Senate, their House or Senate designation and the bills to which they relate. The summary reports must exclude any floor amendment for which the sponsor has indicated to the Revisor of Statutes that is to remain confidential until the sponsor specifically authorizes its release. Furthermore, the summary reports must exclude amendments relating to bills for which the total number of unreleased floor amendments is less than five. All information provided under this paragraph must be aggregated and reported in a manner that precludes disclosure of the sponsor, drafter, the date requested or drafted or any substantive aspects of a bill, amendment or order.

Legislative employees should consult with their office director or the executive director for guidance if they have any questions regarding the application or implementation of this policy.

## **B. POLITICAL ACTIVITY**

### **1. Statutory Provisions**

5 MRSA §7056-A governs the political activity of officers and employees in the classified service and employees from the executive branch in the unclassified service of this State. The presiding officers and the Legislative Council expressly adopt the following related provisions, and as such, Clerk and Secretary employees are subject to them:

**Use of official authority.** An employee may not use that employee's official authority, influence or supervisory position for the purpose of:

- A. Interfering with or affecting the result of a partisan election or a nomination for elective office; or
- B. Attempting to intimidate, threaten, coerce, command or influence a person to give or withhold a political contribution or to engage or not engage in any form of political activity as defined below.

“Use of official authority or influence” includes promising to confer or conferring a benefit such as compensation, a grant, contract, license or ruling; effecting or threatening to effect a reprisal or taking, directing others to take, recommending, processing or approving any personnel action.

**Political contributions.** An employee may not:

- Give or offer to give political contribution to an individual to vote or refrain from voting or to vote for or against any candidate or measure in any partisan election;

- Solicit, accept or receive a political contribution to vote or refrain from voting or to vote for or against any candidate or measure in any partisan election;

**Candidacy for elective office.** An employee may not be a candidate for an elective state office in a partisan public election.

**Right of voting and free expression.** An employee retains the right to vote as that employee chooses.

## **2. Certain Other Activities Prohibited**

The operations of all legislative offices are supported by taxpayers' dollars to carry out the work of the Legislature. Although Clerk and Secretary employees may be actively involved in election and re-election campaigns, it is the policy of the Legislature to segregate these activities from the work of the Legislature.

### **Participation by legislative employees in campaigns and campaign-related activities**

A Clerk or Secretary employee who participates in campaigns must do so outside of the Legislature's regular business hours unless the employee uses authorized paid or unpaid leave for the campaign activities. Participation in campaigns includes, but is not limited to, fund-raising for campaigns for elective office and directly related activities.

### **Use of legislative equipment and resources restricted**

The computer system, including the Internet and network systems, telephones, fax machines and photocopying equipment in the legislative offices are for use by legislative employees for the purpose of performing work related to their legislative employment. This equipment is purchased with public funds and its use is limited to the business of the Legislature. Pursuant to 3 MRSA §170-A, legislative employees are prohibited from using the computer system, telephone, copying machines and other legislative equipment at any time for work related to campaigns.

### **Display of campaign materials in the State House**

Campaign materials for current candidates for public office may not be placed or displayed at any location in the State House, including in the offices of the Clerk of the House or the Secretary of the Senate, hallways, elevators, information kiosks and legislative committee rooms, on the second floor of the Cross Building or on State House grounds.

**C. TESTIFYING BEFORE LEGISLATIVE COMMITTEES**

The role and responsibilities of Clerk and Secretary employees may, on occasion, require the presentation of formal testimony at a public hearing of a legislative committee or subcommittee, including joint standing and select committees, study committees, task forces, councils or commissions. Clerk and Secretary employees may testify only upon the approval of and under conditions established by the Clerk for Office of the Clerk of the House employees or the Secretary for Office of the Secretary of the Senate employees.

**D. PERSONAL BEHAVIOR AND DRESS**

A legislative employee's behavior and dress in the work place must, at all times, be in keeping with a professional, business setting.

A legislative employee is prohibited from consuming alcoholic beverages or using illegal substances in the workplace or working while under the influence of either.

**E. SEXUAL HARASSMENT**

The Legislative Council affirms the right of all legislative employees to work in an environment that is free from unlawful intimidation, hostility and offensiveness. Sexual harassment in the workplace is unlawful, and it is also unlawful to retaliate against an employee for making a complaint of sexual harassment or for cooperating in an investigation of such a complaint. The Legislative Council prohibits sexual harassment of any employee by a supervisor, co-worker, legislator, lobbyist, contractor or vendor and prohibits retaliation against any employee for making a complaint or cooperating in the investigation of a complaint of sexual harassment. The Legislative Council has adopted this policy to provide a work environment that is free from sexual harassment.

The Clerk of the House and Secretary of the Senate have special responsibility for assuring compliance with this policy with respect to those employees who report to them. It is incumbent upon the Clerk and the Secretary to take prompt action to eliminate sexual harassment; employees may perceive that they condone sexually harassing behavior if they fail to intervene and take appropriate corrective action to eliminate sexual harassment. All supervisory and managerial employees are responsible for enforcing this policy. Failure to do so will be considered a failure to fulfill all the responsibilities of the position.

Sexual harassment is unacceptable conduct and will not be condoned or tolerated in the workplace. It undermines the integrity of the employment relationship, destroys morale, interferes with performance and demeans its victims. Sexual harassment by an employee is grounds for disciplinary action, in accordance with the Legislative Council's policies on employee discipline.

## **1. Definition**

Sexual harassment is defined as “unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature when: (1) submission to such conduct is made either explicitly or implicitly a term or condition of an individual’s employment; (2) submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting that employee; or (3) such conduct has the purpose or effect of unreasonably interfering with an individual’s work performance or creating an intimidating, hostile or offensive working environment.”

Sexual harassment does not refer to occasional compliments of a socially acceptable nature. It refers to behavior which is unwelcome.

Examples of sexual harassment may include, but are not limited to: (1) repeated offensive sexual flirtations, advances or propositions; (2) continued or repeated verbal abuse of a sexual nature, (3) graphic or degrading verbal comments about an individual or his or her appearance; (4) the display of sexually suggestive objects or pictures; and (5) any offensive or abusive physical conduct.

## **2. Complaint Procedure**

An employee who believes that he or she is being or has been subjected to sexual harassment must report the harassment to his or her supervisor or, if the sexual harassment involves the supervisor, report the matter to the Clerk or Secretary, as applicable. If the sexual harassment involves the Clerk or Secretary, the employee must report the harassment to the employee’s presiding officer. The Legislature has established the following procedures to facilitate a prompt resolution of complaints of sexual harassment.

Upon receipt of a written or oral complaint, the person notified shall immediately notify the Clerk or Secretary, as applicable, who shall then notify the presiding officer and the executive director. The presiding officer, in consultation with the Clerk or Secretary, as applicable and the executive director shall investigate the complaint and take appropriate corrective actions. Any employee who is determined, after investigation, to have harassed another employee in violation of this policy will be subject to appropriate disciplinary action up to and including termination of employment.

Employees have the right to file a complaint of sexual harassment with the Maine Human Rights Commission and the Equal Employment Opportunity Commission as prescribed by law or rule, and are protected by law from retaliation for exercising this right.

## **F. ACCEPTANCE OF GIFTS**

The acceptance of gifts by Clerk or Secretary employees may create a conflict of interest or the appearance of a conflict of interest, thus possibly jeopardizing not only their own effectiveness, but the effectiveness of the Clerk or the Secretary and their presiding officer.

No legislative employee may accept or solicit a gift from any person or organization with whom the employee has, or may expect to have, work-related contact in the course of his or her employment if the gift is to influence the employee performance of the employee's official duties or vote, or is intended as a reward for action on the part of the employee, pursuant to 17-A MRSA §605.

Furthermore, Clerk and Secretary employees and members of their immediate families may not accept gifts from a lobbyist or anyone acting on behalf of a lobbyist which involves a payment of any kind, a loan, discount, favor, hospitality or other goods or services, which exceed a value of \$25. Gifts that are exempt from this prohibition include:

- ❑ a commercially reasonable loan made in the ordinary course of business;
- ❑ a meal or other refreshments consisting of food and beverages provided for immediate consumption;
- ❑ admissions to state-regulated industries, facilities or events; or
- ❑ the occasional provision of transportation within the State of Maine.

Even in accepting gifts that fall within these exemptions, Clerk and Secretary employees are responsible for evaluating whether the gift or opportunity is being offered with the intent to influence their conduct in the performance of legislative duties.

If an employee has questions regarding the application or implementation of this policy, the employee should consult with the Clerk or the Secretary, as applicable, for guidance.

## **G. VIOLENCE IN THE WORKPLACE**

The Maine Legislature, acting through the Legislative Council, is committed to providing a safe and secure work environment and expressly prohibits all violent acts, threats and other potentially violent behavior either in or related to the workplace, among employees, legislators and constituents. If an employee is the target of such behavior in the workplace or by another employee or legislator, or is witness to such behavior, the improper conduct should be reported immediately to the chair or vice-chair of the Legislative Council, the Executive Director of the Legislative Council or the Legislature's human resources director. An investigation of the report will be undertaken immediately. To the extent that such improper conduct involves an employee in the Office of the Clerk of the House or the Office of the Secretary of the Senate, the executive director shall notify the Clerk and the

Secretary, as applicable, providing such information that does not compromise the privacy or safety of any person, security measures or the investigation.

### **Actions and Implementation**

Any employee who, upon investigation, is reasonably believed to have committed or threatened to commit a violent act in the workplace or related to the workplace against another employee will be subject to appropriate sanctions up to and including termination of employment. Furthermore, if an employee is threatened either in the workplace or elsewhere by a person not employed by the Maine Legislature, and the threats or conduct may threaten his or her security in the workplace, such threats or conduct should be reported immediately so that appropriate safety and security measures may be taken. The Legislative Council recognizes the sensitivity of the information and will adhere to confidentiality procedures to recognize and respect the privacy of the reporting employee to the extent possible.

The Legislative Council recognizes that violence, including domestic violence, affects the lives and compromises the safety of its victims with destructive and dangerous results. Domestic violence is defined as a pattern of coercive behavior that is used by a person against family or household members to establish and maintain power or control over the other party in the relationship. This behavior may include physical violence, sexual abuse, emotional and psychological intimidation, verbal abuse and threats, stalking, isolation from friends and family, economic control and destruction of personal property. In addition to exacting a tremendous toll from the individuals it directly affects, domestic violence often affects the workplace, compromising the safety of both victims and co-workers and resulting in lost productivity, increased health care costs, increased absenteeism and increased employee turnover.

### **Leave for Victims of Domestic Violence**

Pursuant to 26 M.R.S.A. Section 850, the Legislative Council will grant reasonable and necessary leave from work, with or without pay, for an employee to:

1. Prepare for and attend court proceedings;
2. Receive medical treatment or attend to medical treatment for a victim who is the employee's daughter, son, parent or spouse; or
3. Obtain necessary services to remedy a crisis caused by domestic violence, sexual assault or stalking.

The employee's presiding officer will consider an employee's request for leave if it is needed because the employee or the employee's child, parent or spouse is a victim of violence, assault, sexual assaults as defined under 17-A M.R.S.A. Sections 251-258,

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stalking or any act that would support an order for protection under Title 19-A, Section 4001-4014. An employee who wishes to request this leave should meet with the Clerk or the Secretary, as applicable, to discuss arrangements for the leave, who will discuss such request with the employee's presiding officer.

Leave must be requested with as much advance notice as is reasonable under the circumstances. Leave may be denied if: the legislature or legislative office would sustain an undue hardship by virtue of the employee's absence; the request for leave is not communicated to the employee's appointing authority within a reasonable time under the circumstances; or the leave is impractical, unreasonable or unnecessary based on the facts made known to the presiding officer. The employee is strongly encouraged to consult with the Human Resources Director.

**Actions Taken Against Employees Who Commit Violence**

To further protect and support employees from violence in the workplace, the Legislative Council will:

1. Hold accountable and take appropriate corrective or disciplinary action against employees who engage in the following behavior:
  - a. misusing legislative resources to commit an act of violence;
  - b. committing an act of violence from or at the workplace or from any location while on official legislative business; or
  - c. misusing their job-related authority to assist perpetrators in locating a victim or in perpetrating an act of violence.
2. Hold accountable and take appropriate corrective or disciplinary action against any employee who is found to have threatened, harassed or abused a family or household members at the workplace, from the workplace or on state business using any workplace resources or equipment.

**IV. COMPENSATION AND PERFORMANCE APPRAISAL**

**A. JOB CLASSIFICATION AND COMPENSATION**

**B. JOB RECLASSIFICATION**

**C. OVERTIME**

**D. SALARY SCHEDULES AND GENERAL SALARY INCREASES**

**E. STEP INCREASES**

**F. LONGEVITY STIPENDS**

**G. PERFORMANCE EVALUATION**

**I. COMPENSATION AND PERFORMANCE APPRAISAL**

**A. JOB CLASSIFICATION AND COMPENSATION**

The Legislative Council has statutory authority for establishing job classifications for all legislative employees under its direction, and for establishing salary schedules for all employees of legislative agencies, departments and offices and for establishing benefit schedules for legislative employees. (3 MRSA §162). Within those job classifications, the Clerk and the Secretary have the authority for defining specific job duties and responsibilities for employees in their respective offices and for recommending initial salary levels and subsequent salaries rates to the respective presiding officer.

The classification and salary plan for legislative employees, including position descriptions, is designed to achieve internal consistency and equity among the staff offices, and to establish legislative staff salaries at competitive levels relative to comparable positions outside of the Legislature. The plan provides for relating salary increases and job advancement to job performance and appraisal. The plan also establishes a structure for identifying new job titles and job classes, as may be necessary in the future. It is the responsibility of the presiding officers to ensure equity between the offices of the Clerk and the Secretary and they have final authority for approving the salaries of all Clerk and Secretary employees. The executive director of the Legislative Council has overall responsibility for implementing and maintaining these classification and pay plans, in consultation with the presiding officers.

Clerk and Secretary employees should direct questions regarding specific job assignments, job classification or re-classification and salary adjustments to the Clerk or the Secretary, as applicable.

**B. JOB RECLASSIFICATION**

The reclassification of a position may be warranted from time to time as a result of restructuring of an office, consolidation of positions, the implementation of new technologies or functions or other changes that cause an essential change in the roles and responsibilities assigned to the position. The Clerk or the Secretary or a legislative employee may initiate a request to reclassify a position. All reclassification requests must be in writing, describing the change requested and the justification. The Clerk or the Secretary, as applicable, shall forward the request and a recommendation to the employee's presiding officer. The employee's presiding officer shall decide all proposals for a position reclassification, and such decision must be in writing. The President of the Senate and the Speaker of the House have final authority to decide position reclassifications within their respective chamber, subject to budgetary constraints. In deciding requests, the presiding officer shall consider the request in the context of comparable positions and their responsibilities, and overall consistency and equity with the classification and salary plan.

## **C. OVERTIME**

Due to the unique schedule and nature of the work of the Legislature, most legislative employees are required to work overtime at times during the legislative session, including evenings, weekends and State-observed holidays. The Legislature recognizes the demands that such work schedules place on its employees and has adopted a salary and benefit plan and overtime and leave policies designed, among other things, to fairly compensate employees for the overtime required to perform their legislative work.

### **1. Obligation to manage overtime by legislative employees**

Overtime is a necessary aspect of legislative work; however, it is incumbent on the Clerk and the Secretary to not only manage work to meet operational and legislative needs, but also, to the extent feasible, minimize the amount of overtime required of employees. The presiding officers find that requiring employees to work extraordinarily long hours places an undue strain on the legislative budget and on the personal aspects of employee's lives, and results in decreased quality of work and reduced productivity in the work place. Therefore, it is the presiding officer's general policy that, except in extraordinary circumstances, no Clerk or Secretary employee should be required to work in excess of 130 hours in any 2-week period. The presiding officers charge the Clerk and the Secretary with the responsibility to manage work schedules and assignments in a manner such that no Clerk or Secretary employee ordinarily is required to work in excess of 130 hours in a 2-week period. The Clerk and the Secretary may make an exception to this limit only when it is necessary to meet operational needs. The presiding officers and the executive director of the Legislative Council are responsible for periodic review of overtime by legislative employees and assuring general compliance with this policy.

### **2. Accrual of Compensating Hours**

Full-time legislative employees are eligible to accrue compensating time for necessary overtime worked, in accordance with the following schedule. Time during which an employee is excused from work with pay under Section VI. A. Holidays and Section VII. A. Bereavement Leave is considered "hours actually worked" for the purpose of computing overtime.

Part-time and session employees are eligible to accrue compensating time for necessary overtime worked at the same rate as full-time employees, but the accrual limits are proportional to the amount of time they are regularly scheduled to work. For example, a part-time employee in Salary Grade 8 who works a 20-hour per week schedule may accrue compensating time after 22½ hours in a week up a maximum of 60 hours at any one time.

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**For Salary Grades 1-6:**

**Rate of Accrual:** Compensation at one and one-half times the employee's regular rate of pay for hours actually worked beyond forty (40) in a work week, including time worked on Saturdays, Sundays, and state observed holidays. All overtime requires the prior approval of the Clerk or the Secretary, as applicable. Use of compensating time is usually not allowed when the House or Senate meet in session.

**Accrual Limit:** 120 hours in a calendar year.

**Form of Compensation:** Subject to approval by the Clerk or the Secretary, as applicable, an employee may elect to receive either overtime pay or to accrue compensating time. This option must be elected by January 1<sup>st</sup> or within 30 days of hire into the position if after January 1<sup>st</sup>. Once the employee makes an election, it may not be changed during the calendar year, unless a request for change is approved by the Clerk or the Secretary, as applicable, in which case that election may not again change during the calendar year. If necessary to meet operational needs, the Clerk or the Secretary, as applicable, may require that all overtime be paid, in lieu of compensating time. Even if an employee elects to receive compensating time, compensation for all overtime hours accrued in excess of 120 hours during the calendar year must be taken as overtime pay.

**For Salary Grades 7-13**

**Rate of Accrual:** Beginning on or about November 23, 2015, employees will earn compensating time at one times the employee's regular rate of pay for hours actually worked beyond forty (40) in a work week, including time worked on Saturdays, Sundays and state-observed holidays, up to a maximum of 120 hours. All overtime worked requires the prior approval of the Clerk or the Secretary, as applicable.

**Accrual Limit:** 120 hours at any one time.

**Form of Compensation:** Compensating time, to be taken at a time mutually agreed to by the employee and the Clerk or the Secretary, as applicable. Use of compensating time is usually not allowed when the House or Senate meet in session.

**For Salary Grades 14-15:**

Employees in Ranges 14 and 15 do not earn compensating time.

The above provision is provided as a pilot project and is subject to renewal by the Legislative Council. The Legislative Council must proactively agree to renew the terms of this provision on or before October 1, 2016. Without such proactive renewal, the terms provided in this section will revert to the previous existing policy, a copy of which is

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included below. Compensating time earned during the pilot project, up to 120 hours, will not lapse in the case of non-renewal.

**“For Salary Grades 1-6:**

**Rate of Accrual:** Compensation at one and one-half times the employee’s regular rate of pay for hours actually worked beyond forty (40) in a work week, including time worked on Saturdays, Sundays and state-observed holidays. All overtime requires the prior approval of the employee’s office director. Use of compensating time is usually not allowed during the legislative session.

**Accrual Limit:** 120 hours in a calendar year.

**Form of Compensation:** Subject to approval by the employee’s office director, an employee may elect to receive either overtime pay or to accrue compensating time. This option must be elected by January 1<sup>st</sup> or within 30 days of hire into the position if after January 1<sup>st</sup>. Once the employee makes an election, it may not be changed during the calendar year. If necessary to meet operational needs, an office director may require that all overtime be paid, in lieu of compensating time. Even if an employee elects to receive compensating time, compensation for all overtime hours accrued in excess of 120 hours during the calendar year must be taken as overtime pay.

**For Salary Grade 7**

**Rate of Accrual:** Compensation at one times the employee’s regular rate of pay for hours actually worked beyond forty (40) in a work week, including time worked on Saturdays, Sundays and state-observed holidays, up to a maximum of 120 hours. All overtime worked requires the prior approval of the employee’s office director.

**Accrual Limit:** 120 hours at any one time.

**Form of Compensation:** Compensating time, to be taken at a time mutually agreed to by the employee and the office director. Use of compensating time is usually not allowed during the legislative session.

**For Salary Grades 8-13**

**Rate of Accrual:** Compensation at one times the employee’s regular rate of pay for hours actually worked beyond forty-five (45) in a work week, including time worked on Saturdays, Sundays and state-observed holidays, up to a maximum of 120 hours. All overtime worked requires the prior approval of the employee’s office director.

**Accrual Limit:** 120 hours at any one time.

**Form of Compensation:** Compensating time, to be taken at a time mutually agreed to by the employee and the office director. Use of compensating time is usually not allowed during the legislative session.

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**For Salary Grades 14-15:**

Employees in Ranges 14 and 15 do not earn compensating time.”

**3. Administration**

All overtime hours must be recorded on weekly time reports that are maintained in each office. Employees must work a minimum of one-half hour of overtime before overtime may be accrued.

Upon termination of legislative employment, legislative employees are entitled to be paid for unused compensating time up to accrual limit.

**D. SALARY SCHEDULES & GENERAL SALARY INCREASES**

The Legislative Council, in consultation with the presiding officers, establishes the salary schedules for legislative employees. The Legislative Council may, in its sole discretion, grant general salary or cost of living increases for legislative employees, or modify the salary schedules as budgetary or other needs require. General salary increases approved for other branches of State Government do not apply to Clerk or Secretary employees unless so approved by the Legislative Council in consultation with the presiding officers.

See Appendix A for the current salary schedules for Clerk and Secretary employees.

**E. STEP INCREASES**

The classification and pay plan adopted by the Legislative Council defines 15 salary grades, with each legislative position being assigned a specific salary grade. Each grade has 9 steps. Employees assigned to steps 1-9 are eligible to be considered for a step increase annually, on their work anniversary date.

A legislative employee is eligible to be considered for a step increase annually, on the employee’s work anniversary date, subject to available budgeted resources. Salary advancements within any of the salary grades established by the Legislative Council are not automatic. Salary advancements for employees in salary grades 1-13 are dependent upon the specific recommendation of the Clerk or the Secretary, as applicable, and approval of the employee’s presiding officer. The Clerk or the Secretary, as applicable, shall make a recommendation for a step increase based upon established standards of performance and the employee’s performance in the position, and submit it to the presiding officer in writing. In cases of marginal or unsatisfactory performance by an employee, the Clerk or the Secretary may recommend that the employee not receive a step increase or that a step increase be postponed for 3 to 6 months, pending a re-evaluation of employee performance.

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Upon the timely receipt of the required approvals and documentation in the executive director's office, a step increase becomes effective on the first day of the pay week following the week on which the anniversary date falls. The executive director shall report all step increases granted to legislative employees to the presiding officers, upon request.

A presiding officer may, within budgeted resources, award a lump sum performance payment to a full-time or part-time legislative employee who, by virtue of having advanced to the last step in the salary grade for the employee's position, is not eligible for a step increase. The payment amount may not be considered part of the employee's base pay. A performance payment is discretionary and an employee who receives a performance payment should have no expectation of continued payments in future years. To be eligible for a performance payment, the following must be met:

- (a) the payment must be upon the recommendation of the Clerk or the Secretary, as applicable, for sustained, superior work performance for the performance review period;
- (b) the employee's annualized legislative salary is less than \$40,000; and
- (c) the payment amount is equal to fifty percent (50%) of the employee's weekly salary, but not greater than \$500.

**F. LONGEVITY STIPENDS**

Except as provided in Section II. D. of this Handbook, legislative employees are eligible for a longevity stipend in a manner comparable to that established for confidential employees in the Executive Branch of State Government, subject to available budgeted resources. Upon approval by the Legislative Council, longevity stipends are granted to legislative employees who, as of January 1<sup>st</sup> in the year of the award, have completed either 15 through 19 years or 20 years or more of service in Maine State Government, whether continuous or non-continuous. Service in Maine State Government includes service in any of the three branches of State government and service as a Legislator, but does not include any non-status employment such as temporary, project or internship employment. The longevity stipend for 2016 will be paid in a lump sum in December 2015.

Effective January 1, 2017, longevity stipends will be paid as a biweekly stipend added to the employee's base pay as follows:

1. Employees with fifteen (15) years but less than twenty (20) years of eligible service shall receive a longevity stipend of thirty cents (\$0.30) per hour added to the employee's base pay effective on the Monday of or the Monday immediately following the date of eligibility.

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2. Employees with twenty (20) years but less than twenty-five (25) years of eligible service shall receive a longevity stipend of forty cents (\$0.40) per hour added to the employee's base pay effective on the Monday of or the Monday immediately following the date of eligibility.
3. Employees with twenty-five (25) or more years of eligible service shall receive a longevity stipend of fifty cents (\$.50) per hour added to the employee's base pay effective on the Monday of or the Monday immediately following the date of eligibility.
4. Employees who have retired from legislative service and who are reemployed by the Legislature are not eligible for a longevity stipend.

**G. PERFORMANCE EVALUATION**

An effective performance evaluation process assures regular communication between a supervisor and an employee on work-related issues, including goals, and objectives for work, timeliness and standards of quality. A sound performance evaluation system is essential to many important human resource decisions, including salary increases, promotion, and termination of employment. In adopting a unified classification and pay plan for employees, the Legislative Council committed to the development of a performance evaluation system, which provides a consistent and fair process and meaningful job-related criteria for evaluating employees' performance.

The Legislature's sexual harassment policy must be reviewed with the employee at the time of the employee's performance evaluation.

The presiding officers charge the Clerk and the Secretary with assuring a consistent and fair performance appraisal system for Clerk and Secretary offices and that Clerk and Secretary employees receive regular written evaluations of their work performance.

**V. PAID LEAVE**

**A. VACATION LEAVE**

**B. SICK LEAVE**

**C. LEGISLATIVE LEAVE**

**V. PAID LEAVE**

**A. VACATION LEAVE**

**1. Vacation Leave Accrual**

Full-time legislative employees accrue paid vacation leave at the following rate:

<b>Years of State Service Completed</b>	<b>Rate of Accrual (per calendar month)</b>
0 to 5	8 hours
>5 to 10	10 hours
>10 to 15	12 hours
>15 to 20	14 hours
>20	16 hours

Service in Maine State Government means employment in any of the three branches of State government, whether continuous or non-continuous, and service as a Legislator, but does not include any non-status employment such as temporary, project or internship employment.

Part-time and session employees accrue leave at the same rate as full-time employees, but in proportion to the amount of time they are regularly scheduled to work. For example, a first year employee who works 25 hours a week accrues vacation leave at the rate of 5 hours per month.

Vacation leave is credited to the employee on the last business day of each month. Partial accruals are not granted.

**2. Transfer of Vacation Leave from Another State Agency to the Legislature**

The Legislature may accept the transfer of unused vacation leave that was accrued during the course of employment with another State agency when an employee transfers to the Legislature, if the Clerk or the Secretary, as applicable, approve such transfer. Upon such approval, the employee must make arrangements for such a transfer through the Clerk or the Secretary, as applicable, and the executive director's office at the time the employee transfers to the Legislature.

### **3. Use of Vacation Leave**

Legislative employees must schedule all vacation leave in advance and in consultation with the Clerk or the Secretary, as applicable. Use of accrued vacation leave is subject to operational needs of the office. Use of vacation leave is usually not allowed during the legislative session.

A full-time legislative employee who does not use all accrued vacation leave in a calendar year may carry over unused vacation leave up to the following limits:

For employees having 1-15 years of State service	320 hours
For employees having more than 15 years of State service	400 hours

Thus, an employee may accrue more than 320 or 400 hours of vacation leave within a calendar year. However, any unused vacation leave hours in excess of 320 or 400 hours, as applicable, as of December 31<sup>st</sup> lapse so that the beginning vacation leave balance on each January 1<sup>st</sup> does not exceed 320 or 400 hours, as applicable.

Vacation accrual limits for part-time and session employees are proportional to the amount of time they are regularly scheduled to work. For example, a part-time employee with 10 years of State service who works a 20-hour per week schedule may accrue vacation leave up a maximum of 160 hours.

Upon termination of legislative employment, legislative employees shall be paid for all unused vacation leave for which they are eligible based on their length of State service.

## **B. SICK LEAVE**

### **1. Sick Leave Accrual**

Full-time employees accrue 8 hours of sick leave for each month of legislative service, up to a maximum of 960 hours. Part-time employees accrue sick leave at the same rate as full-time employees, but in proportion to their authorized part-time schedule. Session employees accrue sick leave at the rate of 8 hours for each month they are in pay status with the Legislature.

Unused sick leave in excess of 960 hours is recorded as lapsed sick leave credits and may be used by an employee in the case of an extended illness, upon the recommendation of the Clerk or the Secretary, as applicable and the approval of the employee's presiding officer, with notice to the executive director.

Sick leave is credited to the employee on the last business day of each month. Partial accruals are not granted.

**2. Transfer of Sick Leave from Another State Agency to the Legislature**

The Legislature may accept the transfer of unused sick leave that was accrued during the course of employment with another State agency when an employee transfers to the Legislature, if the Clerk or the Secretary, as applicable, approve such transfer. If a legislative employee has previously been employed by the State of Maine within 5 years of the date of hire with the Legislature, the employee may have unused sick leave from that previous employment reinstated and credited to the employee. The employee must make arrangements for such a transfer or reinstatement through the Clerk or the Secretary, as applicable, and the Executive Director's Office at the time of employee transfer to the Legislature.

**3. Use of Sick Leave**

A legislative employee may use accrued sick leave for illness, necessary medical or dental care, or disability of the employee or a member of the employee's immediate family who requires the attention or presence of the employee. For the purposes of this section, "immediate family" means the spouse, parents, spouse's parents, stepparents, guardian, children, stepchildren, siblings, stepbrothers, stepsisters, wards, grandparents and grandchildren of the employee.

The Clerk or the Secretary, as applicable, may require a physician's statement attesting to an employee's illness that necessitates absence from work when an employee uses sick leave for 3 or more consecutive work days or is absent from work repeatedly.

An employee may use accrued sick leave to extend a period of absence following the delivery of the employee's child if the employee's physician provides a written statement of disability, or without a physician's statement for a maximum period of 6 calendar weeks with the prior approval of the Clerk or the Secretary, as applicable. Use of sick leave in this manner counts toward the 12 weeks of leave for which an employee is eligible under the Family Medical Leave Act.

Sick leave is not transferable to another employee. Sick leave has no cash value; a legislative employee may not be paid for unused sick leave upon termination of legislative employment. However, unused sick leave may be used in calculating creditable service for retirement purposes, in accordance with rules of the Maine State Retirement System. An employee who has questions about applying unused sick leave toward creditable service should consult with the Office of the Executive Director.

**C. LEGISLATIVE LEAVE**

The Legislative Council's adoption of an additional category of leave - legislative leave - reflects its recognition that the legislative session often imposes extraordinary work demands on legislative employees. This category of leave is designed to supplement vacation leave and compensating time available to full-time and part-time legislative employees.

**1. Rate of Accrual**

Full-time legislative employees accrue legislative leave as follows:

<b>First or Second Regular Sessions Completed</b>	<b>Hours Accrued (per session)</b>
0-6	24
7-12	40
13 or more	56

Part-time legislative employees who are scheduled to work at least 20 hours a week on a year-round basis accrue legislative leave proportionally to the amount of time the employee is regularly scheduled to work. For example, a part-time employee who works 20 hours per week, 52 weeks a year and has completed 5 regular sessions will accrue 12 hours of legislative leave.

Session employees and other legislative employees who work less than 12 months per calendar year and legislative employees who are on a leave of absence during the legislative session do not accrue legislative leave.

To be eligible for legislative leave accrual, an employee must have worked at least 50% of the legislative session and be employed by the Legislative Council at the time of adjournment sine die of the regular session. Partial accruals are not granted except as indicated above for part-time employees.

*Note: Special Sessions do not count toward the number of legislative sessions completed.*

Legislative employees in Salary Grades 14 and 15 accrue an additional 56 hours of legislative leave, in lieu of compensating time. This leave is in addition to the legislative leave accrued according to the number of regular sessions the employee has completed.

**2. Use of Legislative Leave**

Legislative leave is credited to the employee upon adjournment sine die of the regular session. An employee may not use legislative leave until the day following adjournment of the legislative session in which it is earned.

Accrued legislative leave must be used in the legislative biennium in which it is earned. Unused legislative leaves lapses upon convening of the next First Regular Session. Legislative employees must schedule all legislative leave in advance and in consultation with the Clerk or the Secretary, as applicable. Use of legislative leave is subject to operational needs of the office.

Legislative Leave has no cash value; therefore, an employee may not be paid for unused legislative leave upon termination of legislative employment.

**3. Special Circumstances Warranting Additional Leave**

In the event that a full-time legislative employee is required to work extensive overtime or other exceptional hours on a sustained basis, well beyond what is customarily expected of legislative employees, the Clerk or the Secretary, as applicable, may grant up to 40 hours of legislative leave biennially to that employee. Such leave is at the discretion of the Clerk or the Secretary and, if granted, is in addition to any legislative leave provided to the employee under this section. The Clerk or the Secretary, as applicable, may not regularly grant such leave to an employee. As with other legislative leave, this leave has no cash value and must be used within the legislative biennium in which it is granted.

**VI. PAID BENEFITS**

**A. HOLIDAYS**

**B. HEALTH INSURANCE COVERAGE**

**C. PRESCRIPTION DRUG COVERAGE**

**D. DENTAL INSURANCE COVERAGE**

**E. GROUP LIFE INSURANCE COVERAGE**

**F. STATE EMPLOYEE RETIREMENT PLAN**

**G. TEMPORARY DISABILITY INCOME BENEFITS**

**H. EYE EXAMINATIONS FOR CERTAIN LEGISLATIVE EMPLOYEES**

**I. WORKERS' COMPENSATION**

**J. PROFESSIONAL DEVELOPMENT & TRAINING**

## **VI. PAID BENEFITS**

### **A. HOLIDAYS**

The Legislature observes the following legal holidays:

- New Year's Day – January 1<sup>st</sup>
- Martin Luther King's Birthday
- Presidents' Day
- Patriot's Day
- Memorial Day
- Independence Day – July 4<sup>th</sup>
- Labor Day
- Columbus Day
- Veterans' Day – November 11<sup>th</sup>
- Thanksgiving Day
- Friday following Thanksgiving
- Christmas Day – December 25<sup>th</sup>

The specific dates for holidays for the current calendar year will be made available to each office by the executive director's office.

Eligible legislative employees are entitled to be paid for the legal holidays. To be eligible for pay for the holidays, legislative employees, including part-time and session employees, must be in active pay status (i.e. working or using paid leave) on their scheduled work days that immediately precede and follow the holiday. Holiday pay for part-time employees is pro-rated based on their authorized work schedule.

A Clerk or Secretary employee may, for bona fide religious reasons, choose to observe another established religious holiday if it is not a Legislature-observed holiday. The employee must arrange for the time off in advance with the Clerk or the Secretary, as applicable, and must use accrued leave for that time off.

### **B. HEALTH INSURANCE COVERAGE**

The Legislature participates in the Maine State Employee Health and Benefits Program, which provides coverage, subject to certain conditions and co-payments, for physician care, hospital services, emergency room care, mental health and substance abuse services and diagnostic exams and services to eligible employees and their qualified dependents.

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Except as provided in Section II. D., the Legislative Council will provide a health insurance plan for full-time legislative employees and part-time legislative employees whose regular work schedule is twenty (20) or more hours per week.

Except as provided in Section II. D., the Legislative Council will provide a health insurance plan for session-only legislative employees whose regular work schedule during the legislative session is twenty (20) or more hours per week.

The Legislative Council will pay a portion of a full-time or part-time legislative employee's individual health insurance premium as provided below and sixty percent (60%) of the premium for health plan coverage for eligible dependents for employees electing dependent coverage. Payroll deductions of premiums for dependent coverage will be made for employees electing such coverage.

The Legislative Council will pay a share of a full-time or part-time employee's individual premium based on the employee's annual rate of pay on July 1<sup>st</sup> of each state fiscal year as follows:

1. For an employee whose base annual rate of pay is projected to be less than or equal to \$30,000 on July 1<sup>st</sup> of the state fiscal year for which the premium contribution is being determined, the Legislative Council will pay 95% of the individual premium;
2. For an employee whose base annual rate of pay is projected to be greater than \$30,000 and less than \$80,000 on July 1<sup>st</sup> of the state fiscal year for which the premium contribution is being determined, the Legislative Council will pay 90% of the individual premium; and
3. For an employee whose base annual rate of pay is projected to be \$80,000 or greater on July 1<sup>st</sup> of the state fiscal year for which the premium contribution is being determined, the Legislative Council will pay 85% of the individual premium.

The Legislative Council may pay a greater proportion of the total cost of the individual premium for those employees who meet specific benchmarks for healthy behavior in accordance with the provisions of 5 MRSA §285, sub-§7-A.

For a session-only employee while the employee remains employed by the legislature, the Legislative Council will pay a share of the employee's premium equal to that provided for full-time employees and sixty percent (60%) of the premium for health plan coverage for eligible dependents for employees electing dependent coverage while the employee is in active work status during the period from the first Wednesday in January through the date of statutory adjournment of a regular session. At all other times, while the employee remains employed by the legislature and not covered by another health insurance plan, the Legislative Council will pay forty percent (40%) of the premium for health plan coverage for the employee, inclusive of the healthy behavior credit as provided under 5 MRSA §285,

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sub-§7-A, and forty percent (40%) of the premium for health plan coverage for eligible dependents for employees electing dependent coverage.

The employee is responsible for that portion of the premium not paid for by the Legislative Council.

The Maine State Employee Health and Benefits Program provides a summary of benefits, and a booklet explaining the benefits and terms and conditions of coverage. Legislative employees are responsible for reading the information and becoming familiar with benefits and requirements of the health insurance program.

The health insurance plan provided under the Maine State Employee Health and Benefits Program is a point of service plan that provides a higher level of benefits when care is coordinated or provided by the legislative employee's primary care physician. Level of coverage, amount of required co-payments, deductibles, premiums and terms and conditions of health insurance coverage may change from time to time in accordance with the plan requirements established by the Maine State Employee Health Insurance Program. The health plan provided by the Legislative Council will be administered in accordance with the requirements of the plan, and employees are subject to the plan requirements.

See Appendix B for the current premiums for health insurance.

**1. Application Procedure**

Although health insurance is a state-paid benefit for legislative employees, insurance coverage is not automatic. Legislative employees must apply for health coverage within sixty (60) calendar days from the date of their initial employment with the Legislature. If an employee does not apply for insurance coverage within the 60-day period, the employee may be required to file evidence of insurability before the employee may obtain health insurance coverage for himself or herself or for dependents. The addition or removal of dependents generally may be made only within the annual enrollment period unless there has been a recent life event. "Life event" includes certain events or circumstances as defined under the plan.

Upon acceptance in the health insurance program, health insurance coverage commences on the first day of the month following the first full month in which the employee is first employed. For example, if an employee begins work and applies for coverage on December 31<sup>st</sup>, insurance coverage is effective beginning on February 1<sup>st</sup>. However, if an employee begins work and applies for coverage on January 2<sup>nd</sup>, insurance coverage is effective beginning on March 1<sup>st</sup>.

Health insurance application forms and related information are available from the executive director's office, and completed forms must be returned promptly to the executive director's office for acceptance and processing. Upon acceptance in the health

insurance program, employees will receive health insurance cards and information directly from the insurance provider or the Maine State Employee Health and Benefits Program.

Questions regarding general insurance coverage and premiums should be directed to the Office of the Executive Director. Questions regarding claims and billing should be directed to the Division of Employee Health and Benefits at (800) 422-4503 or 287-6780 or by calling Anthem directly at (800) 527-7706. Information is also available online at [www.anthem.com](http://www.anthem.com).

### **C. PRESCRIPTION DRUG COVERAGE**

The health plan provided under the Maine State Employee Health and Benefits Program includes prescription drug benefits. Except as provided in Section II. D. of this Handbook, the current plan provides full-time, part-time and session-only legislative employees and their qualified dependents with access to prescription medications through retail pharmacies, mail and on-line services. Certain conditions and limitations established under the plan apply. The employee's health insurance card includes information relevant to the prescription drug coverage. Coverage is provided in conjunction with the employee's health insurance. No separate application for prescription drug coverage is required. Questions regarding the prescription drug program, including coverage and co-payments should be directed to the Office of the Executive Director.

### **D. DENTAL INSURANCE COVERAGE**

As part of the Legislature's participation in the Maine State Employee Health and Benefits Program and except as provided in Section II. D. of this Handbook, full-time, part-time and session-only legislative employees and their qualified dependents are eligible for coverage under a comprehensive dental plan. The plan includes a participating dentist network that normally will result in paying less when using a participating dentist. The plan also provides for use, with certain benefit limitations and co-payments, of nonparticipating dentists.

The Legislative Council will provide a dental insurance plan for full-time employees and part-time employees whose regular work schedule is twenty (20) or more hours per week. The Legislative Council will pay one hundred percent (100%) of the premium for dental plan coverage for the employee. The cost of premiums for dependent coverage, if dependent coverage is elected, must be paid by the employee. Payroll deductions for premiums for eligible dependent coverage will be provided for employees electing such coverage.

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The Legislative Council will provide a dental insurance plan for session-only legislative employees whose regular work schedule during the legislative session is twenty (20) or more hours per week.

For a session-only employee, once eligible under the plan requirements, the Legislative Council will pay one hundred percent (100%) of the premium for dental plan coverage while the employee is in active work status during the period from the first Wednesday in January through the date of statutory adjournment of a regular session. At all other times, while the employee remains employed by the legislature and not covered by another dental insurance plan, the employee remains eligible to participate in the dental insurance plan for dental coverage for the employee and eligible dependents but at the employee's expense. Session-only employees will be billed directly by the insurance provider for their premiums.

The employee's share of the costs of dependent dental insurance coverage is subject to change annually.

See Appendix C for the current premiums for dental insurance.

The Maine State Employee Health and Benefits Program provides a summary of benefits, and a booklet explaining the benefits and terms and conditions of coverage. Legislative employees are responsible for reading the information and becoming familiar with benefits and requirements of the dental plan. The dental insurance program provided by the Legislative Council will be administered in accordance with the requirements of the plan, and employees are subject to the plan requirements.

Level of coverage, amount of required co-payments, deductibles, premiums, and terms and conditions of dental plan coverage may change from time to time in accordance with the procedures established by the Maine State Employee Health Insurance Program.

## **1. Application Procedure**

Although participation in the dental plan is a state-paid benefit for legislative employees, coverage is not automatic. Legislative employees must apply for dental plan coverage within sixty (60) calendar days from the date of their initial employment with the Legislature. If an employee does not apply for insurance coverage within the 60-day period, the employee must wait until the dental plan provider offers an open enrollment period to apply. Upon acceptance in the dental plan, coverage commences on the first day of the month following the first full month in which the employee is first employed. For example, if an employee begins work and applies for coverage on December 31<sup>st</sup>, insurance coverage is effective beginning on February 1<sup>st</sup>. However, if an employee begins work and applies for coverage on January 2<sup>nd</sup>, insurance coverage is effective beginning on March 1<sup>st</sup>.

Dental plan application forms, a list of participating dentists and related information are available from the executive director's office, and completed forms must be returned promptly to the executive director's office for acceptance and processing. Upon acceptance in the dental plan, employees will receive dental plan cards and information directly from the dental plan provider or the Maine State Employee Health and Benefits Program.

## **E. GROUP LIFE INSURANCE COVERAGE**

The Legislature participates in the State Group Life Insurance Program administered by the Maine Public Employees Retirement System. The program provides life, accidental death and dismemberment insurance for State employees, including legislative employees. The program includes the Basic Plan, the Supplemental 1, 2 and 3 Plans and the Dependent A/B Plans. Full-time employees, and part-time and session-only employees whose regular work schedule is twenty (20) or more hours per week, are eligible to participate in the group life insurance program.

### **1. Basic Plan**

The Basic Plan provides basic life, accidental death and dismemberment insurance. It is a state-paid benefit and eligible legislative employees will automatically be enrolled in the program unless they specifically refuse the insurance coverage in writing at the time of initial employment with the Legislature. The value of basic life insurance coverage is equal to the employee's salary for the prior year, rounded up to the next \$1,000, unless already a multiple of \$1,000, and is updated annually in April. Basic accidental death and dismemberment insurance coverage is determined according to a schedule established by the State Group Life Insurance Program. Persons who refuse coverage when first eligible must file an Evidence of Insurability Application in order to participate at a later date.

### **2. Supplemental Plans**

The Supplemental Plans provide additional coverage on the employee in amounts equal to 1, 2 or 3 times the amount available under the Basic Plan. All amounts are rounded up to the next \$1,000, if not already a multiple of \$1,000. Legislative employees must complete the Maine Public Employees Retirement System application at the time of initial hire in order to obtain supplemental group life insurance coverage. The cost for obtaining the supplemental insurance is borne by the legislative employee.

See Appendix D for the current premiums for Supplemental Plans.

### **3. Dependent Plans**

The Dependent Plans provide life insurance for the employee's eligible dependents, which may include an employee's spouse and children. Legislative employees must complete the Maine Public Employees Retirement System application at the time of initial hire in order to obtain dependent group life insurance coverage. The cost for obtaining the dependent insurance is borne by the legislative employee.

Applications and designation of beneficiary forms may be obtained from the executive director's office. Questions regarding group life insurance, including application procedures and coverage should be directed to the executive director's office.

See Appendix D for the current premiums for Dependent Plans.

## **F. STATE EMPLOYEE RETIREMENT PLAN**

The Maine Public Employees Retirement System operates a retirement plan for state employees, teachers and certain other eligible persons. It is established and administered pursuant to 5 MRSA, chapters 421, 423 and 425. Legislative employees, except employees appointed for a fixed term, are required to become members of the Maine Public Employees Retirement System as a condition of employment. Membership is optional for employees who are appointed for a fixed term.

The retirement plan is a defined benefit plan, providing retirement benefits based on a member's average final compensation and years of creditable service. By law, vesting occurs upon the earlier of five (5) years of service credit or the earning of one (1) year's service credit immediately preceding retirement at or after reaching retirement age in accordance with retirement system requirements. Normal retirement age for legislative employees is age 60 or 62, depending on the employee's years of creditable service as of July 1, 1993, and age 65 for employees hired after July 1, 2011 and employees who had less than 5 years of creditable service on July 1, 2011. Retirement benefits are reduced if a member retires before normal retirement age.

By law, the retirement plan is a shared contribution plan. Currently, legislative employees must contribute to the retirement system at a rate of 7.65% of gross salary. These contributions are deducted from each paycheck. Currently, the Legislature contributes approximately 11.54% of gross salary, although this percentage may fluctuate somewhat each year. Federal income taxes on retirement contributions generally are deferred. Maine income taxes on retirement contributions are not deferred.

Upon termination of employment with the State, an employee may apply for a refund of the accrued retirement contributions and allowable interest in accordance with rules of the Maine Public Employees Retirement System. Withdrawal of accumulated retirement contributions results in the forfeiture of retirement benefits.

Retirement System membership forms may be obtained from the executive director's office. Further information on the retirement plan benefits and requirements is available through the executive director's office, or legislative employees may contact the Maine Public Employees Retirement System directly at (207) 512-3100 or (800) 451-9800.

## **G. TEMPORARY DISABILITY INCOME BENEFITS**

Temporary disability income benefits provide continued income benefits for a limited period to legislative employees under certain conditions. The Legislative Council's temporary disability income benefits plan is entirely supported from funds appropriated to the Legislature; there are no employee contributions or fees. Temporary disability income is a discretionary benefit, subject to review and final approval by the Legislative Council's Personnel Committee.

### **1. Eligibility and Benefit Payment**

A legislative employee is eligible for this benefit after six (6) months of full-time equivalent employment. An eligible employee may receive up to 2/3 of his or her weekly salary, paid biweekly, for a limited period not to exceed the benefit payment period on account of either:

- a. the employee's total disability due to illness or injury such that the employee is unable to perform the functions of the employee's position;
- b. the employee is responsible to care for a seriously ill child, parent, spouse or significant other; or
- c. the employee's pregnancy and childbirth.

An employee who has accrued paid leave may not augment the temporary disability income benefit payment with that leave.

### **2. Benefit Payment Period Due to the Employee's Illness or Injury**

Benefit payments on account of total disability due to illness or injury and while the employee remains under the care of a licensed physician commence no earlier than on the day immediately following exhaustion of all of the affected employee's accrued sick leave and other paid leave, or thirty (30) days of continuous disability, whichever is greater, for a period not to exceed 26 weeks from the date the benefit payments commenced.

Payments to the employee continue until the earliest of the following dates:

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- a. the first day the employee is able to return to gainful employment or is no longer under the care of a licensed physician;
- b. the first day following 26 weeks from the date the disability benefit payment period commenced;
- c. for session employees, adjournment *sine die* of the Regular Session of the Legislature during which the employee became disabled; or
- d. the first day the employee is eligible for a permanent disability allowance under 5 MRSA §17901 et seq.
- e. such other time period less than 26 weeks which the Legislative Council's Personnel Committee deems appropriate.

Benefit payments may be extended by the Personnel Committee for up to an additional 16 weeks if the employee provides evidence that he/she has filed an application for disability retirement benefits with the Maine Public Employees Retirement System.

**3. Benefit Payment Period Due to the Serious Illness of an Employee's Child, Parent, Spouse or Significant Other**

Benefit payments to an employee who is caring for a seriously ill child, parent, spouse or significant other will commence no earlier than on the day immediately following exhaustion of all of the affected employee's accrued sick leave, vacation leave, legislative leave and compensatory time, or thirty (30) days of continuous absence from work, whichever is greater, for a period not to exceed 16 weeks from the date the benefit payments commenced.

Payments to the employee may continue until the earliest of the following dates:

- a. the first day the employee's family member or significant other is no longer under the care of a licensed physician;
- b. the first day the employee's service as a caregiver is no longer needed;
- c. the first day following 16 weeks from the date the disability benefit payment period commenced;
- d. for session employees, adjournment *sine die* of the Regular Session of the Legislature during which the employee's caregiving became necessary; or

- e. such other time period less than 16 weeks which the Legislative Council's Personnel Committee deems appropriate.

#### **4. Benefit Payment Period Due to the Employee's Pregnancy and Childbirth**

Except as specified below, benefit payments on account of pregnancy and childbirth commence on the date of childbirth by a legislative employee for a period of eight (8) weeks following delivery. An employee who seeks benefits due to pregnancy and childbirth is not required to exhaust all accrued sick leave or other paid leave before benefit payments may commence. Session employees are eligible for benefit payments for any portion of the eight (8)-week period following delivery that falls within a period that the Legislature is convened in regular session. Benefit payments may commence prior to childbirth for pregnancy-related complications or extend beyond eight (8) weeks after childbirth for birth-related complications only with a medical statement of disability or necessity from the employee's physician, but in any case may not continue for more than a total of 26 weeks.

An employee has the option of not using the benefit available under this policy if the employee has other available temporary disability income benefits, sufficient accrued leave to cover the period of absence at full pay or of using a combination of accrued paid leave or family medical leave to extend the total period of absence following childbirth. Paid leave following pregnancy and childbirth leave is subject to the operational needs of the office and may only be taken with the prior approval of the employer. However, the employee may be entitled to take unpaid leave for the balance of the employee's leave up to a total of twelve (12) weeks as provided under the Family Medical Leave Act.

#### **5. Conditions, Limitations and Exceptions**

- a. Disability payments are not authorized for any period during which the employee is receiving payments under workers' compensation laws due to the illness or injury or through the use of accrued paid leave.
- b. The employee continues to receive benefits, including membership in state insurance plans and earned employee benefits that the employee was eligible for immediately prior to the start of disability benefit payments. An employee who qualifies on account of illness and injury and must undergo a period of unpaid leave before benefit payments commence continues to receive employee benefits during that period of unpaid leave.
- c. The employee may not receive disability payments under this plan for more than a total of 42 weeks in any twelve (12)-month period.
- d. Periods of benefit payments under this plan must be counted toward an eligible employee's entitlement of twelve (12) weeks per year of family medical leave.

## **6. Application**

A Clerk or Secretary employee who qualifies for temporary disability income benefits under this plan and is interested in receiving such benefits must submit a written request to the Clerk or the Secretary, as applicable, together with a statement disclosing any other payments the employee is entitled to receive on account of the employee's temporary disability or family member or significant other's medical situation. The Clerk or Secretary must then forward the request along with the Clerk or the Secretary's recommendation as to whether benefits should be approved to the Executive Director of the Legislative Council. The employee must also submit a statement from the treating physician, which attests to the employee's qualifying condition or family member or significant other's condition and need for the employee's care, whichever is applicable. The employee may also be required to submit additional information related to the temporary disability so that the Executive Director or the Legislative Council's Personnel Committee may make a determination whether or not to grant the requested benefit. After consultation with the Clerk or the Secretary, as applicable, the Executive Director shall forward the request and recommendation to the Legislative Council's Personnel Committee for its consideration and final decision. The Personnel Committee will report its decision to the Legislative Council following the Personnel Committee's decision on the employee's request but shall not publicly disclose the medical or other reasons for the request. During any period when an employee is receiving temporary disability income benefits, the Clerk or the Secretary, as applicable, or the Executive Director may require periodic statements from the treating physician attesting to the continued disability of the employee or family member's need for care.

## **H. EYE EXAMINATIONS FOR CERTAIN LEGISLATIVE EMPLOYEES**

With the support of the Legislative Council and the presiding officers, legislative offices have established appropriate conditions for the use of computers to support the legislative process. These include selection of appropriate computer monitors (video display terminals) and furnishings, which may be adjusted to provide for proper and ergonomically correct use.

The Legislative Council finds that regular eye examinations are an important component of good personal health care. Based on studies relating to the potential effects of sustained use of video display terminals, the presiding officers and the Legislative Council have adopted the following policy.

### **1. Work Breaks from Continuous Use of Video Display Terminals**

An employee whose primary task is to operate a computer or other electronic equipment having a video display terminal for more than four (4) consecutive hours, exclusive of breaks, on a daily basis should be assigned to other work that does not require use of a

video display terminal 15 minutes for every two hours of continuous use of a video display terminal. Lunch and other breaks must be counted toward the 15-minute work reassignments.

The Clerk and the Secretary are responsible for ensuring that work is scheduled in accordance with this policy. Certain other requirements also apply in accordance with 26 MRSA §252 and are coordinated by the executive director's office.

## **2. Limited Reimbursement for Eye Examinations and Corrective Lenses**

- a. Given the increasing prevalence of computer usage among employees, a full-time employee who spends a significant amount of time daily operating a computer is eligible for limited reimbursement for eye examinations and corrective lenses after six (6) months of full-time equivalent employment. Part-time and session employees are not eligible for this benefit. The office director will make a determination of whether the employee's work assignment qualifies the employee for reimbursement under this Article by providing a signature on the Computer Users Eye Examination form.
- b. An eligible employee is entitled to reimbursement for a routine eye examination by a qualified eye professional annually after the employee has first sought coverage under the health insurance plan. Employees shall be reimbursed up to one hundred dollars (\$100) per calendar year for an eye examination.
- c. An employee will be reimbursed up to one hundred fifty dollars (\$150.00) per calendar year for the cost of corrective lenses or contacts or an annual supply of disposable contact lenses if the eye examination results in a determination that prescription lenses are needed. Reimbursement will be made directly to the employee, not to the employee's eye care professional or other assignee.
- d. To receive benefits under this Article, the eligible employee must, within thirty (30) calendar days of the date of service, submit the following to the Executive Director's Office: (1) the Computer Users Eye Examination form, provided by the Executive Director's office, completed by the eye care professional and signed by the employee's supervisor and (2) a receipt showing payment in full. The thirty (30) calendar day time limit may be extended if the employee can show that the payment in full receipt is not yet available due to reasons beyond the employee's control.

## **I. WORKERS' COMPENSATION**

The Workers' Compensation System was established to ensure that employees who are injured on the job or in the course of their employment are compensated during their period of injury.

### **1. Eligibility**

Injuries that are compensable must have been incurred in the course of and arising out of employment. Thus, the employee must have been performing an activity that was related to the performance of his or her work duties at the time of injury.

### **2. Compensation**

Compensation available to eligible employees may include the following:

- Partial replacement of lost wages;
- Reimbursement of medical expenses incurred as a result of the injury; and
- Provision for vocational rehabilitation, if necessary, to help the employee return to work.

### **3. Required Notice of Injury**

Under presiding officer and Legislative Council policy, a legislative employee must immediately report an injury to the employee's immediate supervisor and to the Clerk or the Secretary, as applicable. The Clerk or the Secretary, as applicable, shall immediately notify the executive director's office of the injury and take the appropriate steps to arrange for medical attention as needed. The injured employee and the employee's supervisor must file a report of injury with the executive director's office, on forms provided by the executive director's office, within 24 hours of the injury. A failure to file the required reports is grounds for disciplinary action as provided in this Handbook.

In order to provide for early intervention for all state employees who are injured in the work place and to reasonably control workers' compensation costs, the State of Maine has contracted with certain medical care providers for workplace injury management. As such, injured employees will be directed to certain medical care providers for initial examination and treatment. An injured employee may not refuse initial examination by a medical care provider to whom the injured employee is directed. An employee's primary care physician will ordinarily not be the employee's initial medical care provider for work-related injuries, although an injured employee is not required to continue using a medical care provider contracted by the State after the first 10 days of treatment. If an employee intends to

change medical care providers, the employee must provide the name of the new medical care provider to the Executive Director's Office.

Upon a notification of a workplace injury, the executive director's office will arrange for an appointment with an appropriate medical care provider. The medical care provider is responsible for directing the care of the injured employee, and will work closely with physicians and other appropriate service providers if the evaluation indicates that additional medical care is necessary, which might include the employee's primary care physician. The executive director's office is responsible for coordinating all workers' compensation claims arising from or in connection with the legislative workplace and maintaining records of each claim.

In emergency circumstances, established emergency procedures should be followed that give the injured employee access to necessary immediate medical attention.

## **J. PROFESSIONAL DEVELOPMENT AND TRAINING**

The presiding officers encourage Clerk and Secretary employees to seek out professional development and training opportunities that help them gain new skills and knowledge, thereby enhancing the employees' value to the Legislature. The Legislature provides limited funds in the legislative budget for training and professional development for legislative employees. Such funds may be used to support employee attendance at conferences and seminars, training programs, courses at accredited educational institutions, and for partially reimbursing employees for tuition and course-related fees for courses relevant to their legislative positions and that enhance their jobs and their career within the Legislature.

### **1. Certifications and Licenses**

Where a professional license or certification is required as a condition of a legislative employee's employment in a legislative position, the employee is responsible for obtaining the license or certification and keeping it current. The employee is responsible for costs, including exam fees, associated with obtaining the initial license or certification. Subject to the availability of budgeted funds and upon approval by the Clerk or the Secretary, as applicable, the Legislature will pay the fee for renewal of the required license or certification, in an amount not to exceed \$250 annually, while the employee remains employed by the Legislature and maintains a satisfactory work performance. Continuing education that may be required to maintain a license or certification is the responsibility of the employee.

A legislative employee whose required license or certification has lapsed or been suspended or revoked must immediately inform the employee's Leader of the lapse, suspension or revocation.

**2. Partial Tuition and Course Fee Reimbursement**

Upon the recommendation of the Clerk or the Secretary, as applicable, and the prior approval by the employee's presiding officer, a Clerk or Secretary employee may be reimbursed for sixty percent (60%) of the costs for tuition and course-related fees for courses that are directly related to the performance of their legislative duties and skills. Reimbursement is subject to the availability of budgeted funds and criteria established for Clerk and Secretary employees by the presiding officers. In order to qualify for partial reimbursement of expenses, the employee must provide receipts for course-related costs and evidence of completion of the course with a grade equivalent of B or higher.

**VII. LEAVES OF ABSENCE**

- A. BEREAVEMENT LEAVE**
- B. COURT SERVICE LEAVE**
- C. FAMILY MEDICAL LEAVE**
- D. MILITARY LEAVE**
- E. UNPAID LEAVE**

## **VII. LEAVES OF ABSENCE**

### **A. BEREAVEMENT LEAVE**

A legislative employee is allowed up to five (5) days leave with pay for absence resulting from the death of a spouse, significant other person living in the same household, child, stepchild, parent, stepparent, or spouse's parent, and up to three (3) days of leave with pay for absence resulting from the death of a sibling, stepsibling, ward, grandparent or grandchild.

"Significant other person" means a relationship existing between two people, neither of whom is married, that is intended to remain indefinitely and where there is joint responsibility for each other's common welfare, there are significant shared financial obligations and there is a shared primary residence. This relationship must have existed for at least two (2) continuous years before bereavement leave benefits may be provided.

Bereavement leave is not charged against any other of an employee's accrued leave balance.

### **B. COURT SERVICE LEAVE**

#### **1. Jury Duty**

Jury duty is a privilege and an obligation of citizenship. A legislative employee who is required to appear in court pursuant to a subpoena or other order of a court related to the employee's employment or to perform jury service where such appearance or service will result in an absence from work, will ordinarily be granted court service leave for the period of time necessary to fulfill that requirement. The employee is responsible for notifying the Clerk or the Secretary, as applicable, of any request for court appearance or jury service which requires absence from work so that the Clerk or the Secretary may assess the impact on office operations and determine whether it is necessary to request of the court that the employee be excused temporarily from appearance or jury service. The Clerk or the Secretary shall notify his or her presiding officer of required court service by an employee. The presiding officer shall make all requests to the court by or on behalf of the Clerk's or the Secretary's Office asking that an employee be excused from appearance or service and shall provide a copy of such requests to the executive director. The employee is responsible for making such a request to the court on his or her own behalf.

Any employee who makes an appearance and whose service is not required must return to work as soon as practicable after release. An employee on court service leave for a full day will receive regular pay and will be required to reimburse the Legislature for payment received for court service, excluding any travel allowance.

Court service leave is not charged to any other of the employee's accrued leave balance.

## **2. Other Court Appearances**

A legislative employee who is summoned to appear or otherwise appears before a court or other body as a party to any private legal action which is not job-related is not be eligible to receive court service leave.

## **C. FAMILY MEDICAL LEAVE**

In accordance with the requirements of the federal Family Medical Leave Act and state law for family medical leave, the presiding officers and the Legislative Council have adopted a policy of Family Medical Leave that provides legislative employees with up to 12 weeks of unpaid leave in a 12-month period for certain family and medical reasons without jeopardizing the employee's job or benefit status. This leave is available to eligible employees for the purposes described below at any time during the year. An employee who uses this leave is entitled to return to the position held at the time the leave commenced or to a position of comparable seniority, benefits and pay.

### **1. Eligibility for Leave**

Legislative employees are eligible for up to 12 consecutive weeks of unpaid family medical leave if they have been employed by the Legislature for at least 12 months and have worked at least one thousand two hundred fifty (1,250) hours during the previous 12 months.

Family medical leave under this policy is unpaid leave; however, as an alternative, the employee may substitute sick or other accrued paid leave for unpaid leave if used for family medical leave purposes. Any periods of substituted paid leave used by an employee must be counted toward the employee's annual 12-week family medical leave entitlement.

In addition, Maine law provides that an employee is eligible for family medical leave for a domestic partner under certain conditions. Refer to 26 M.R.S.A. §843 et seq.

### **2. Reasons for Leave**

Family medical leave may be taken under the following circumstances:

- the employee is unable to work because of a serious health condition;
- to care for an immediate family member with a serious health condition. "Serious health condition" means an illness, injury, impairment or physical or mental condition

that involves inpatient care in a hospital, hospice or residential medical care facility or that requires continuing treatment by a health care provider. “Immediate family member” means the employee’s spouse, child or parent;

- birth and care of a newborn child of the employee; or
- placement of a child 18 years of age or less with the employee in connection with the employee's adoption of the child or assumption of the role of foster parent or legal guardian.

Spouses both of whom are employed by the same employer are jointly entitled to a combined total of 12 weeks of family leave for the birth and care of the newborn child, for placement of a child for adoption or foster care, or to care for a parent who has a serious health condition.

Leave for birth and care or placement for adoption or foster care must conclude within 12 months of the birth or placement.

In addition, federal law now entitles a “spouse, son, daughter, parent or next of kin” up to 26 work weeks of family leave to care for a “member of the Armed Forces, including a member of the National Guard or Reserves, who is undergoing medical treatment, recuperation, or therapy, is otherwise in outpatient status, or is otherwise on the temporary disability retired list, for a serious injury or illness.” “Next of kin” is defined as the closest blood relative. Spouses employed by the same employer who wish to take leave to care for the service member may take an aggregate of 26 weeks of family leave during the 12-month period.

### **3. Intermittent or Reduced Schedule Leave**

A Clerk or Secretary employee may take leave on an intermittent basis or on a reduced work schedule up to a total of 12 weeks when it is medically necessary to care for a seriously ill family member or because the employee is seriously ill and unable to work. Intermittent or reduced schedule leave to be taken to care for a newborn or newly placed adopted or foster child is subject to approval by the Clerk or the Secretary, as applicable.

### **4. Job Restoration and Maintenance of Benefits**

During the period for which an employee is taking unpaid family medical leave, the Legislature will continue payment of state-paid health, life and dental insurances for the duration of such leave on the same terms as if the employee had continued to work. Other employee benefits, including sick, vacation and other paid leave, do not accrue to the employee for any periods of unpaid leave.

Upon return from family medical leave, an employee is entitled to the position held at the time leave commenced or to a position of comparable seniority, salary range and step, and benefits in effect at the time of leave. Use of family medical leave will not result in the loss of any employment benefit the employee accrued or was entitled to before using family medical leave. Under specified and limited circumstances where restoration to employment will cause substantial and grievous economic injury to its operations, the presiding officers may refuse to reinstate certain highly-paid "key" employees after using family medical leave during which health coverage was maintained, as provided under federal law and regulations.

## **5. Advance Notice and Medical Certification**

An employee who qualifies for and intends to use family medical leave under this policy must give notice to the Clerk or the Secretary, as applicable, and the executive director including both the intended dates upon which family medical leave will commence and terminate. Such notice must be given at least 30 days in advance of the leave, except where such notice is precluded by the emergency nature of the situation. A legislative employee is required to provide medical certification from a health care provider to the executive director supporting the need for leave because of a serious health condition affecting the employee or an immediate family member. The executive director, after consultation with the Clerk or the Secretary, as applicable, and with the concurrence of the employee's presiding officer, may require second or third medical opinions, at the Legislature's expense, and periodic recertification and reports during the leave regarding the employee's status and intent to return to work.

When intermittent leave is requested to care for an immediate family member or the employee's own illness, and is for planned medical treatment, the employee must make reasonable efforts to schedule treatment so as not to unduly disrupt the office's operations.

## **6. Childbearing and Adoption Leave**

Under this family medical leave policy, childbearing and adoption leave may become a supplement to extend leave beyond the periods of leave available under the temporary disability income benefits plan after childbirth and family medical leave. A legislative employee is eligible to take this leave without pay for a period of up to one year and may return to his or her position in the Legislature at the salary range and step in effect at the time the leave period commenced.

An employee may also retain membership in state health, life and dental insurance plans during such leave, but is required to pay the insurance premiums during any period that extends beyond the period of time when insurance coverage is provided under the temporary disability income benefits plan or family medical leave authorized for that employee. Other employee benefits do not accrue to the employee during the period of leave.

A Clerk or Secretary employee must submit a written request for childbearing and adoption leave and proposed leave schedule to the Clerk or the Secretary, as applicable, and the executive director as soon as possible for review and approval, but no later than 30 days in advance of the leave, so that the Clerk or the Secretary may plan for coverage during the period of the leave.

#### **D. MILITARY LEAVE**

Legislative employees who are members of a branch of the United States military service, including the National Guard or other authorized State military or naval forces, the Army, Air Force, Coast Guard, Marine Corps, Navy or Reserves, are entitled to a leave of absence to fulfill their military obligations. This leave entitlement includes leave for active military service (voluntary or involuntary) and leave to fulfill annual military training requirements.

##### **1. Military leave of absence with pay (annual training)**

A legislative employee who is a member of a branch of the military service is entitled to a leave of absence from his or her respective duties for the purpose of annual training for periods not to exceed seventeen (17) work days in any calendar year, without loss of pay, and shall accrue sick and vacation leave and seniority, as specified by provisions of the Uniformed Services Employment and Reemployment Rights Act (USERRA). The employee must notify the employee's appointing authority in writing of the need for leave at least thirty (30) calendar day prior to commencement of the leave, or as soon as practical if such notice is precluded by military necessity or factors beyond the control of the employee. At the time of notice or as soon as possible thereafter, the employee must provide a copy of the employee's service orders and military schedule. During such leave, the employee is entitled to receive the same health, dental and group life insurance benefits that the employee would have received had the employee not been on the leave of absence.

##### **2. Military leave of absence without pay**

A legislative employee who is a member of the military service and who volunteers for or is ordered to active duty is entitled to a leave of absence, as provided under the Uniformed Services Employment and Reemployment Rights Act (USERRA). Such leave is without pay. The employee may, but is not required to, use accrued vacation or legislative leave or compensatory time while on the leave of absence. The employee must notify the employee's appointing authority in writing of the need for leave at least thirty (30) calendar days prior to commencement of the leave, or as soon as practical if such notice is precluded by military necessity or factors beyond the control of the employee. At the time of notice or as soon as possible thereafter, the employee must provide a copy of the employee's service orders and military schedule. If the employee's military leave is thirty (30) or fewer days, the employee is entitled to receive the same health, dental and group life

insurance benefits that the employee would have received had the employee not been on the leave of absence. If the employee wishes to continue health, dental and group life insurance coverage while on military leave longer than 30 days, the employee is entitled to do so up to a maximum of twenty-four (24) months as provided under USERRA but must pay the full premium cost (100% of the employer and employee shares) to maintain the coverage.

Notwithstanding the above, it is the policy of the Legislative Council that a legislative employee who volunteers for or is ordered to active duty for more than 30 days during the Iraqi conflict is entitled to receive the same health, dental and group life insurance benefits that the employee would have received had the employee not been on the leave of absence, for a period not to exceed eighteen (18) months from the date of commencement of active duty. **Note:** The employee is eligible for military health insurance (TRICARE) on the day the employee goes on active duty if the order to active duty is for more than 30 days.

#### **E. UNPAID LEAVE**

A full-time legislative employee in the office of the Clerk or the Secretary, after 12 months of full-time legislative employment, may request a leave of absence from work without pay for a period not to exceed a total of twelve (12) months. Such a request must be upon the recommendation of the Clerk or the Secretary, as applicable, and is subject to approval by the employee's presiding officer. The presiding officers delegate authority to the Clerk and the Secretary to decide requests for unpaid leaves of absence that do not exceed thirty-one (31) calendar days. Upon approval by the presiding officer, or as applicable the Clerk or the Secretary, an employee may return to the position held at the time the leave of absence commenced or to a position of comparable seniority, salary and benefits.

All requests for such leaves of absence and decisions must be in writing. A request for leave must specifically state the justification for the request and the length of time requested. A request may not be for leave in less than 8 hour increments. The employee, in consultation with the Clerk or Secretary, as applicable, will determine whether that employee uses accrued leave prior to seeking unpaid leave. When reviewing requests for a leave of absence, the presiding officers must consider the operational needs of the Legislature and the basis for the request for leave, and reserves its right to deny any request for a leave of absence.

All leaves of absence are subject to the condition that the presiding officers may cancel the leave at any time upon prior written notice to the employee, specifying a reasonable date for termination of the leave and the reason for such cancellation, such as the convening of a special session of the Legislature. Failure to return from a leave of absence may be deemed a resignation from service.

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During the period of an approved leave of absence, the employee may retain health, life and dental insurance but only at the employee's expense.

In addition, the presiding officers will grant reasonable and necessary leave from work without pay for an employee as provided under 26 MRSA, §850, subject to the conditions and exceptions set forth in section 850.

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**VIII. TRAVEL AND EXPENSE REIMBURSEMENTS**

**A. AUTHORIZATION AND TRAVEL ARRANGEMENTS**

**B. EXPENSE REIMBURSEMENT**

## **VIII. TRAVEL AND EXPENSE REIMBURSEMENTS**

### **A. AUTHORIZATION AND TRAVEL ARRANGEMENTS**

#### **1. Out-of-State Travel**

Attendance at conferences, seminars and meetings related to legislative issues as well as participation in professional organizations offer legislative employees valuable opportunities to develop professional and technical knowledge and skills that, in turn, enhance the quality of staff support to the Legislature.

All requests by Clerk or Secretary employees to travel out-of-state to attend conferences, meetings or other activities must be approved in advance by both the Clerk or the Secretary, as applicable, and the employee's presiding officer and are subject to budgetary constraints. Requests must be in writing, indicate the purpose of the travel, benefits to be gained and the travel dates, and should be made far enough in advance to take advantage of favorable air fares or other travel discounts.

The Office of the Executive Director is authorized to arrange for legislative travel and related travel-arrangements. The offices of the Clerk of the House and the Secretary of the Senate may use these services for travel. The Legislature is often able to take advantage of special rates and fares. Legislative employees are responsible for contacting that office as soon as travel has been approved to work out specific travel arrangements, in order to take advantage of fares and schedules. Travel by airline, train or bus must be at the most economical and practical rate.

An employee may not accrue overtime while in out-of-state travel status.

#### **2. Cash Advances for Out-Of-State Travel**

A legislative employee may arrange for a cash advance for authorized out-of-state travel through the executive director's office. A cash advance cannot be assured for requests made less than 10 business days before the date of travel. A legislative employee who receives a cash advance must submit a completed travel expense voucher signed by the employee and the employee's appointing authority to the Office of the Executive Director within ten (10) calendar days from the return date of the travel to clear the cash advance. An amount equivalent to the cash advance may be withheld from an employee's pay if the employee has not cleared a cash advance within twenty-one (21) calendar days following the return date of the travel.

**3. Travel Cancellations or Other Changes**

Changes or cancellations may result in the forfeiture of special air travel rates or lodging discounts. The legislative employee is responsible for cancellation penalties and surcharges that result from changed travel arrangements unless the changed arrangements were required by the employee's work or as a result of illness of an employee or an emergency situation in the employee's immediate family.

**4. In-State Travel**

The Clerk and the Secretary may authorize reasonable in-state travel for Clerk and Secretary employees, within budgeted resources, when such travel is necessary to fulfill the requirements of an employee's job assignment.

**B. EXPENSE REIMBURSEMENT**

Legislative employees are entitled to be reimbursed for actual and necessary expenses as follows. Requests for reimbursement of expenses must be made on expense vouchers. In-state and out-of-state travel expense reimbursement requests must be made on separate expense voucher forms. The executive director may require that a copy of the official agenda or meeting program relating to the travel accompany an employee's out-of-state expense voucher.

**1. Mileage Allowance and Other Travel Expenses**

For authorized travel using an employee-owned or employee-leased motor vehicle in the performance of the employee's duties, the mileage allowance shall be that amount specified in 5 MRSA §8:

Effective January 1, 2009 the legislative employee shall be paid a mileage allowance of forty-four cents (\$0.44) per mile. Employees who are handicapped and who operate their own personal wheelchair lift or other specially equipped vehicle on legislative business shall receive an additional ten cents (\$0.10) per mile. When an employee travels out-of-state using a motor vehicle in lieu of air travel, the mileage reimbursement may not exceed the cost of the most favorable airfare for that travel.

Mileage is calculated from the State House or the employee's residence, whichever distance is less. The presiding officer may require that legislative employees use State-provided vehicles in lieu of mileage reimbursement.

Upon presentation of receipts, a legislative employee will also be reimbursed for actual costs of highway and bridge tolls, parking fees, taxi fares and other reasonable and

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necessary travel expenses incurred during the course of authorized travel. A receipt is not required for an expense that is less than five dollars (\$5.00).

**2. Lodging, Meal Expenses and Incidental Expenses**

Legislative employees in travel status in the performance of their duties are entitled to be reimbursed for the actual costs for necessary and reasonable lodging and meal expenses. Overnight lodging is generally applicable only when the travel is more than 50 miles from the legislative employee's residence or the State House, whichever is closer. Receipts are required for reimbursement of lodging expenses. Receipts are also required for meals in excess of twelve dollars (\$12.00) when associated with in-state travel or out-of-state travel.

Meals, inclusive of taxes, gratuities and snacks, will be reimbursed up to the following maximum rates.

When associated with in-state travel:

Breakfast:	\$8.00
Lunch:	\$10.00
Dinner:	\$20.00

When associated with out-of-state travel:

Breakfast:	\$10.00
Lunch:	\$12.00
Dinner:	\$24.00

Meals associated with an extended workday:

From time to time, the legislative schedule requires legislative employees to work overtime such that it precludes legislative employees from eating dinner at their home. The Legislature provides limited reimbursement to legislative employees for meals during an extended workday when the Legislature is in session. A legislative employee, including a session-only or part-time employee, is eligible to be reimbursed for the actual meal expenses during an extended workday as follows.

A. The employee must have worked at least eleven (11) hours in a work day or a total of fifteen (15) hours in a 24-hour period; and

B. The Legislature must be in session during the extended workday or the clerk or Secretary employee was specifically required to work the extended workday by the Clerk or the Secretary, as applicable.

After the 11-hour or 15-hour work requirement has been met, an employee is eligible to be reimbursed for meals in an amount not to exceed ten dollars (\$10.00). After sixteen (16)

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hours of continuous work, an employee is eligible for an additional five dollars (\$5.00). A receipt is required for meal costs that exceed six dollars (\$6.00).

Expenses for alcoholic beverages or personal items are not reimbursable.

**3. Telephone Expenses**

A legislative employee who is away from his or her residence overnight on legislative business is allowed one ten (10) minute personal telephone call per night within Maine or to a telephone exchange in the State of Maine at the Legislature's expense.

Expense vouchers for reimbursement of expenses must be completed within 10 calendar days from the date of completion of travel or the date an extended day meal allowance is claimed, signed by the employee, the Clerk or Secretary, as applicable and, for out-of-state travel, the employee's presiding officer, and sent to the executive director's office for authorization and payment. If the total expenses are less than the amount of any cash advance, a check for the balance due must accompany the signed voucher. If an employee has not submitted an expense voucher for reimbursement of expenses within six (6) months from the date of completion of travel, the Legislature is not obligated to make reimbursement.

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**IX. VEHICULAR ACCIDENT REPORTING AND LIABILITY INSURANCE  
COVERAGE**

**A. ACCIDENT REPORTING REQUIRED**

**B. LIABILITY INSURANCE COVERAGE**

**IX. VEHICULAR ACCIDENT REPORTING AND LIABILITY INSURANCE  
COVERAGE**

**A. ACCIDENT REPORTING REQUIRED**

A legislative employee who is involved in an accident while traveling on State business, regardless of whether the vehicle is a State-owned or personal vehicle, must report the accident as follows.

1. The employee must immediately report the accident to the local or State law enforcement authorities so they may render assistance and investigate the accident.
2. The employee must report the accident in writing on an “Accident/Incident Report” form to the executive director’s office and to the Risk Management Division within 24 hours of the accident unless the accident involves any bodily injury or property damage in excess of \$1,000, in which case the employee must also contact the Risk Management Division immediately at the telephone number listed below. Accident report forms may be obtained through the executive director’s office or the Risk Management Division.
3. The employee must also contact the employee’s insurance agency if the accident involves the employee’s personal vehicle or if otherwise required by the employee’s insurance policy.

Risk Management Division: (800) 525-1252 (toll-free 24 hours per day/7days per week)

For further information, contact the executive director’s office.

**B. LIABILITY INSURANCE COVERAGE**

The State Risk Management Division provides liability insurance coverage in an amount up to \$400,000 per occurrence for legislative employees while they using their personal vehicles to conduct State business. Vehicle and other property damage are not covered. Under the Maine Tort Claims Act, the State is the excess insurer; the employee’s automobile insurance is primary.

**X. OTHER BENEFITS AVAILABLE TO LEGISLATIVE EMPLOYEES**

- A. STATE EMPLOYEE ASSISTANCE PROGRAM**
- B. MAINE STATE CREDIT UNION**
- C. DEFERRED COMPENSATION PROGRAM**
- D. MAINE STATE EMPLOYEES COMBINED CHARITABLE APPEAL  
(MSECCA)**
- E. U.S. SAVINGS BOND PROGRAM (REPEALED)**
- F. MEDICAL EXPENSE AND DEPENDENT CARE REIMBURSEMENT  
ACCOUNTS**
- G. VISION INSURANCE**
- H. LONG-TERM CARE INSURANCE**

**X. OTHER BENEFITS AVAILABLE TO LEGISLATIVE EMPLOYEES**

**A. STATE EMPLOYEE ASSISTANCE PROGRAM**

The State of Maine has established the Employee Assistance Program (EAP), a confidential assessment, short-term counseling and referral program, for State employees, including legislative employees and retirees, and their families whose personal issues, such as alcoholism, drug abuse, family difficulties, emotional stress, financial or legal concerns, affect their job performance. The EAP provides a Maine network of counselors in communities throughout the state.

Employee participation in the program is voluntary and strictly confidential. If a legislative employee wants to utilize the EAP services, the employee should contact an EAP counselor directly to arrange for an appointment; no records of counseling, diagnosis, referrals or EAP results are maintained in personnel files of legislative employees. With the approval of the Clerk or the Secretary, as applicable, a Clerk or Secretary employee may take administrative leave, with pay, for appointments to see an EAP counselor. If an EAP counselor recommends treatment or other services requiring extended time away from the employee's job, the employee may use paid leave for necessary time away from the job or request a leave of absence without pay.

While there is no cost to the legislative employee for counseling services provided by an EAP counselor, costs for counseling services from other specialists or resources, if needed, must be paid by the employee or paid for under the health insurance plan to the extent they are covered.

For additional information, contact the Office of the Executive Director or the State Employee Assistance Program at (800) 451-1834.

**B. MAINE STATE CREDIT UNION**

Legislative employees are eligible to join the Maine State Credit Union. The main office of the credit union is located at 200 Capitol Street in Augusta. The telephone number is 623-1851 or (800) 540-8707. The credit union maintains an ATM on the first floor of the Cross Building. As with local banks and other credit unions, the Maine State Credit Union offers checking and savings accounts, IRAs, mortgage and personal loans and travelers' checks. Arrangements may be made through the executive director's office for payroll deduction of checking and savings deposits and loan payments.

### **C. DEFERRED COMPENSATION PROGRAM**

The State of Maine has adopted a 457 Deferred Compensation Program for State employees, including legislative employees. All State employees who receive a paycheck from the State of Maine are eligible to join the deferred compensation program. The plan is designed to supplement an employee's retirement income. It offers employees the opportunity to invest a portion of their salary in a low-cost retirement savings plan, with state and federal taxes deferred until retirement or withdrawal at termination. The money an employee contributes is automatically deducted from the employee's paycheck. The contribution reduces the employee's current taxable income. Investment options are not guaranteed or FDIC-insured.

Deferred compensation can only be withdrawn at certain times and under certain conditions so it should not be viewed as a short-term savings account. Limited provisions are made for emergency withdrawals without penalties; however, the withdrawn amount becomes taxable in the year taken. Rollover to another Deferred Compensation Plan (Internal Revenue Code of 1986, section 457) is allowed.

The IRS limits the amount an individual can contribute on a pre-tax basis to deferred compensation plans each calendar year. Deferred compensation plans include plans established under sections 401(k), 403(b) and 457 of the Internal Revenue Code. For 2008, the 457 (b) deferral limit is \$15,500. For employees 50 years or older an additional "catch up" contribution is available, in the amount of \$5,500 (2011), for a maximum contribution of \$22,000.

The Program currently provides employees with three financial services organizations from which to choose a plan. They are:

- VALIC Retirement Services Company
  - Telephone: (800) 892-5558 ext. 88631
  - Website: [www.valic.com](http://www.valic.com)
- The Hartford
  - Telephone: (800) 640-8787
  - Website: [www.iisfinancial.com](http://www.iisfinancial.com)
- ING Financial Advisors, LLC
  - Telephone: (207) 622-4882 or (866) 826-8063
  - Website: [www.ingretirementplans.com](http://www.ingretirementplans.com)

Employees may change the amount they contribute at any time. To make changes, employees will need to contact their current financial services organization representative directly. In addition, employees may change their investment option within their current financial services organization at any time. They may also change their financial services organization once in a twelve-month period.

To participate in the deferred compensation program, employees must complete and sign a joinder agreement form. Forms and informational booklets about the State of Maine Deferred Compensation Program are available from the executive director's office.

**D. MAINE STATE EMPLOYEES COMBINED CHARITABLE APPEAL  
(MSECCA)**

The Legislature participates in an annual fund-raising drive conducted by the Maine State Employees Combined Charitable Appeal (MSECCA) for the United Way, National health agencies and International service agencies and Maine Share. Participation by an employee is strictly voluntary. Employees who wish to contribute may do so through biweekly payroll deductions for the calendar year or by a single contribution by check. Payroll deductions may be initiated at any time for new employees. MSECCA applications are available from the executive director's office.

**E. U. S. SAVINGS BONDS PROGRAM (REPEALED)**

The State no longer offers a U.S. Savings Bond program for employees.

**F. MEDICAL EXPENSE AND DEPENDENT CARE REIMBURSEMENT  
ACCOUNTS**

Reimbursement Accounts (also called "Flexible Spending Accounts") provide a mechanism for State employees, including legislative employees, to set money aside, on a pre-tax basis, for medical expenses for the employee and dependents which are not covered by insurance and dependent care expenses.

The current annual set aside for a medical expense reimbursement account is up to \$3,000. The annual set aside for a dependent care account is up to \$5,000. There is an administrative fee for these accounts of currently \$1.85 biweekly for each account that is deducted from the employee's account. If an employee is enrolled in both a medical care and a dependent care reimbursement account, the administrative fee is deducted from the dependent care account.

**1. Medical Expense Reimbursement Accounts**

Medical reimbursement accounts may be used to pay for medical expenses typically not covered by insurance. Such expenses may include: insurance deductibles, co-pays, and co-insurance; eye exams not covered by insurance; eye glasses and contacts; dental care not covered by insurance; orthodontia; medical exams not covered by insurance; hearing aids and batteries; contraceptives; and certain psychological therapy and substance abuse

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programs prescribed by a physician that are not covered by insurance. Generally, costs for services that are prescribed by a physician for treatment of an illness or injury are likely to be eligible for reimbursement. Expenses for general health improvement or maintenance are not eligible. Cosmetic treatments are not eligible.

**2. Dependent Care Accounts**

Dependent care accounts may be used to pay for daycare expenses for a child, newborn through kindergarten age. For a child, kindergarten age through age 12, a dependent care account may be used for before and after school programs, vacation programs, and most day camps. A dependent care account may also be used for non-overnight care for a dependent child, age 13 or older, who is not capable of self-care, such as an adult child or a child living with an adult who has a disability.

**3. Enrollment**

The enrollment period for medical expense and dependent care reimbursement accounts is limited. Open enrollment occurs annually, generally in late fall, for the following calendar year. Extensions of an open enrollment period are not permitted. The Division of Employee Health and Benefits, Department of Administrative and Financial Services that administers this program generally initiates announcements for open enrollment and the executive director's office is responsible for distributing announcements, informational materials and enrollment forms to legislative employees.

**4. Limitations**

It is very important for an employee who participates in a medical expense or dependent care reimbursement account to plan carefully. These accounts are governed by Internal Revenue Service regulations. Among other things, the IRS regulations require that an employee *forfeit* any money that has been set aside in a medical expense or dependent care reimbursement account but not used in the calendar year in which it was set aside.

An employee has limited opportunities to change the amount of money to be aside once enrolled in the accounts program.

Program terms and costs are subject to change from time to time in accordance with IRS regulations and other program requirements.

For further information or to obtain enrollment forms, contact the executive director's office. In addition, questions about the accounts program may be directed to HR Support and Consulting Services at (866) 655-5397 or to the Division of Employee Health and Benefits at 287-6780 or (800) 422-4503.

## **G. VISION INSURANCE**

The Legislature participates in a vision insurance plan offered by the State of Maine. The vision insurance plan offers limited coverage for examinations, lenses, frames and contact lenses, and is separate from the employee's health insurance plan. The vision insurance provider contracts with various providers, including independent optometrists and ophthalmologists as well as retail locations; maximum benefits are achieved when members access their benefits from an authorized vision insurance provider. In addition, the providers agree to preferred pricing that may be significantly below retail. Members may also be able to achieve savings on additional pair purchases, contact lenses, lens treatments, specialized lenses and various other items.

Since this is a voluntary benefit, the Legislature does not make any contributions to the payment of premium. The employee who participates pays all premiums for this benefit. Open enrollment is held in the fall of each year, for the upcoming calendar year.

Specific questions can be directed to the current vision insurance provider at (866) 768-5149, visiting the website at [anthem.com](http://anthem.com), or by contacting the executive director's office.

See Appendix E for the current premiums for vision insurance.

## **H. LONG-TERM CARE INSURANCE**

Employees are eligible to enroll in an employee-paid long-term care insurance plan sponsored by the State of Maine and currently underwritten by Prudential Insurance Company of America. Employees who participate must pay 100% of the premiums for this benefit. Also eligible to participate are the employee's spouses, domestic partners, parents, parents-in-law, grandparents and grandparents-in-law, each of whom are required to complete a medical questionnaire and be approved by Prudential before coverage is effective. Adult children of employees/retirees as well as retirees, their spouses, domestic partners and surviving spouses are also eligible.

Long-term care is often required when an individual requires regular assistance with day-to-day functions like bathing, eating, dressing or supervision due to cognitive impairment. Long-term care insurance helps pay for care at home, in an adult day care center, assisted living facility, nursing home or hospice, none of which may be covered by health insurance, disability insurance, Medicare or Medicaid.

Brochures are available in the Office of the Executive Director. Questions about the coverage and registration information should be directed to the current provider at (800) 732-0416, or by visiting its website at:

[www.prudential.com/gltcweb](http://www.prudential.com/gltcweb)

Group name: maineltc

Access Code: pinecone

**XI. USE OF STATE EQUIPMENT**

**A. STATE PROPERTY**

**B. STATE TELEPHONE SYSTEM**

**C. COMPUTER SYSTEMS, ELECTRONIC MAIL AND INTERNET USE**

**D. USE OF LEGISLATIVE ROOMS AND SPACE**

## **XI. USE OF STATE EQUIPMENT**

### **A. STATE PROPERTY**

Consistent with 5 MRS §20-A, no legislative employee may remove State property, including furnishings, from the State House or the Cross Building or their assigned locations without the prior approval of the executive director. Upon approval from the Clerk or the Secretary, as applicable, and written agreement of terms of use and return, a Clerk or Secretary employee may use a laptop computer for legislative business at an off-site location. The employee is responsible for the appropriate care while the equipment is in the employee's custody and returning the equipment in serviceable condition. The employee is responsible for any damage to the equipment while in the custody of the employee.

Installation or placement of electrical equipment, such as refrigerators, toaster ovens, microwaves and space heaters, and other personal furnishings in legislative areas requires the prior approval of the executive director. Hot plates, stoves or fish tanks are not allowed in legislative offices.

### **B. STATE TELEPHONE SYSTEM**

Legislative employees should make every attempt to conduct their personal business outside of the office. While occasional calls may be necessary, employees are expected to reimburse the State for extraordinary use of the telephone for personal business in Maine and for all personal calls outside of Maine. A record of each employee's calls may be issued periodically to the Clerk and the Secretary for review and any necessary follow up, including reimbursement of telephone expenses.

Legislative employees are assigned telephone access codes which allow an employee to call outside of the Augusta area that are not in the State's Centrex telephone system, at the discretion of the employee's presiding officer.

Instructions for using the State Centrex telephone system are available in each office.

### **C. COMPUTER SYSTEMS, ELECTRONIC MAIL AND INTERNET USE**

Computer systems, electronic mail, Internet and telecommunication services are resources made available to authorized legislative employees and Legislators to perform legislative work and communicate with each other, other governmental entities, private sector organizations and individuals in order to assist them in the performance of their legislative responsibilities, for the benefit of the Legislature.

## **1. Computer Hardware and Software**

The Office of Legislative Information Services is responsible for the installation, setup and maintenance of computer hardware and peripherals, legislative networks and software owned or used by the Legislature. It is also responsible for assuring the security of computers, software applications and network systems. Computer systems are legislative property and intended for legislative business. Legislative employees may not use the systems for personal gain or to carry out or advocate for nonlegislative-related business or other purposes.

Computer resources that are assigned to legislative employees and Legislators or to a specific location may not be relocated, swapped, substituted or re-assigned without the prior approval by the Clerk or Secretary, as applicable, after consultation with the Office of Legislative Information Services or the executive director. The legislative employee or Legislator to whom computer resources are assigned is responsible for keeping the computer resources free from damage, loss or theft and for their general upkeep.

Legislative employees may not download or install on legislative computer systems:

- computer software that jeopardizes the security or integrity of legislative computer systems or that is incompatible with other legislatively authorized software;
- unlicensed or pirated software or software the installation of which would violate copyright laws or license conditions;
- beta versions of software; or
- software that is for other than legislative business use.

No software that is purchased using legislative funds may be installed without the prior approval of the Office of Legislative Information Services or the executive director. No legislative employee may circumvent virus detection software or other security controls used on legislative systems.

The Clerk or the Secretary, as applicable, or at the request of the executive director may inspect computer resources assigned to or used by the employee to assure compliance with this policy.

## **2. Electronic Mail**

The legislative electronic mail system (e-mail system) is designed to facilitate legislative business communications for legislative employees and Legislators via messages, memoranda, information transfer and scheduling. As with other electronic mail systems, transmission of e-mail relies on networks and transmissions that are not completely secure from access or observation by others. In addition, e-mail can be misdirected by the sender or by an error in the e-mail routing process, thus being transmitted to unintended recipients.

While the Legislature has taken some measures, such as use of user passwords and limiting access to network systems to authorized personnel, legislative employees and Legislators should have no expectation that e-mail communications are private. As such, the legislative e-mail system is not intended for and should not be used to transmit or receive confidential or sensitive materials, which may be more appropriately communicated by written memorandum or personal communication. In addition, e-mail messages have been determined by court decision to be public records and may be subject to public disclosure under the Freedom of Access law, depending on their content.

The e-mail system is legislative property and intended for legislative business. Legislative employees may not use the system for personal gain or to carry out or advocate for non-legislative-related business or other purposes. All data or other electronic messages within the e-mail system or stored on legislative computers are the property of the Legislature, and are subject to retrieval and review in accordance with legislative policies. The Clerk or the Secretary, as applicable, or other authorized person may access, in accordance with legislative policy, an employee's email if it is necessary to carry out legislative business including during a time when the employee is on vacation or other leave or is transferred to another legislative office. Upon suspension or termination of legislative employment, legislative employees have no right to the contents of e-mail messages and are not allowed access to the e-mail system.

Legislative employees may not intentionally intercept, eavesdrop, record, alter, or corrupt another person's e-mail. However, nothing in this policy prohibits authorized employees from intercepting, filtering, isolating and removing computer viruses or other electronic transmissions that threaten the integrity or reliability of the e-mail and other computer systems or from assisting law enforcement personnel in the course of authorized civil or criminal investigations.

Legislative employees shall use passwords to legislative computer networks and e-mail systems, including user mailboxes, and must change passwords periodically as directed by Office of Legislative Information Services staff to provide reasonable security of the e-mail system. Legislative employees and Legislators may not share their passwords with others, and must take reasonable precautions to prevent access by unauthorized individuals.

### **3. Internet Use**

The Legislature provides authorized legislative employers and Legislators access to the Internet through use of legislative computer systems in order to facilitate legislative business communications and information transmittal and receipt, for the benefit of the Legislature. As with the e-mail system, Internet transmissions are not completely secure from access or observation by others. Legislative employees and Legislators should have no expectation that e-mail communications or other information transfers through the Internet are private. As such, the Internet is not intended for and should not be used to transmit or receive confidential or sensitive materials, which may be more appropriately communicated by written memorandum or personal communication. Furthermore,

legislative employees are prohibited from transmitting or knowingly receiving computer viruses or illegal or other inappropriate materials through the Internet.

#### **4. Prohibited Uses**

The following uses of the legislative e-mail system and the Internet are prohibited:

- Sending threatening or abusive communications;
- Sending or knowingly receiving sexually explicit or pornographic images;
- Sending racist communications or ethnic slurs;
- Sending communications that may be reasonably construed as sexual harassment;
- Communications or uses prohibited by federal or state law;
- Solicitations for commercial ventures, religious or political causes;
- Other uses that are unbecoming to the Legislature or inappropriate in a public setting;
- Receiving orders for goods or services or otherwise operating a business;
- Access to Internet resources, including web sites, chat rooms and news groups, that are inappropriate in a business setting; and
- Any other use that may compromise the integrity of the Legislature.

#### **5. Incidental Personal Use of E-mail System and the Internet**

Under conditions set forth in this policy and subject to approval and limitations set by the Clerk or the Secretary for employees in their respective offices, authorized Clerk and Secretary employees may use the e-mail system and the Internet on an occasional basis on personal time at work. Such use must be incidental to the employee's work, and may not interfere in any way with the performance of legislative responsibilities. Such use may include brief e-mail messages to family or friends, making appointments, self-study or training opportunities that relate to the employee's work and general Internet information searches.

Legislative employees are obligated to use the e-mail system and the Internet in a responsible and professional manner and conform to network etiquette and courtesies. The Clerk or the Secretary, as applicable, or the executive director may prohibit incidental use by a legislative employee or remove access to the e-mail system or the Internet for reason of operational need or convenience, or for abuse of the incidental use privilege by the employee. The Clerk and the Secretary are responsible for monitoring personal use to assure compliance with this policy.

#### **6. Violations of Policy**

A legislative employee who violates this policy is subject to disciplinary action in accordance with legislative policy and other applicable rules or laws.

**7. Special Prohibition on Use of Legislative Equipment**

Pursuant to 3 MRSA §170-A, legislative employees are prohibited from using the computer system, telephones, copying machines and other legislative equipment at any time for work related to campaigns.

**D. USE OF LEGISLATIVE ROOMS AND SPACE**

Use of legislative rooms or other legislative space during regular business hours for non-legislative activities is governed by the legislative employee or elected official who is charged with responsibility for the room or space. Use of legislative rooms, including committee rooms, by legislative employees for non-legislative activities outside of regular business hours requires the prior approval of the executive director. Use of rooms or other legislative space may not be used for commercial business or activities that are inappropriate in a legislative setting.

**OFFICE OF THE SECRETARY OF THE SENATE & OFFICE OF THE  
CLERK OF THE HOUSE OF REPRESENTATIVES HANDBOOK**

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Adopted by the President of the Senate and the Speaker of the House on December 3, 2002 upon the recommendation of the Personnel Committee of the 120<sup>th</sup> Legislative Council.

Effective Date: December 3, 2002

Revised Effective Date: December 2008 (123<sup>rd</sup> Legislative Council)

Revised Effective Date: August 1, 2011 (125<sup>th</sup> Legislative Council)

Revised Effective Date: October 22, 2015 (127<sup>th</sup> Legislative Council)



**APPENDICES**

**A. STANDARD SALARY SCHEDULES**

**B. HEALTH INSURANCE PREMIUMS**

**C. DENTAL INSURANCE PREMIUMS**

**D. GROUP LIFE INSURANCE PREMIUMS**

**E. VISION INSURANCE PREMIUMS**

Appendix A

Standard Salary Schedule  
For Legislative Employees

Standard Salary Schedule  
for  
Legis-Employee: Exempt

Thursday, November 12, 2015

Grade	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7	Step 8	Step 9
1	11.19	11.76	12.32	12.95	13.62	14.27	14.99	15.71	16.35
Hourly	447.60	470.40	492.80	518.00	544.80	570.80	599.60	628.40	654.00
BiWeekly	895.20	940.80	985.60	1,036.00	1,089.60	1,141.60	1,199.20	1,256.80	1,308.00
Annual	23,275.20	24,460.80	25,625.60	26,936.00	28,329.60	29,681.60	31,179.20	32,676.80	34,008.00
Prem Rate	16.79	17.64	18.48	19.43	20.43	21.41	22.49	23.57	24.53
2	12.54	13.14	13.80	14.52	15.23	15.99	16.78	17.60	18.33
Hourly	501.60	525.60	552.00	580.80	609.20	639.60	671.20	704.00	733.20
BiWeekly	1,003.20	1,051.20	1,104.00	1,161.60	1,218.40	1,279.20	1,342.40	1,408.00	1,466.40
Annual	26,083.20	27,331.20	28,704.00	30,201.60	31,678.40	33,259.20	34,902.40	36,608.00	38,126.40
Prem Rate	18.81	19.71	20.70	21.78	22.85	23.99	25.17	26.40	27.50
3	14.03	14.74	15.47	16.25	17.05	17.91	18.79	19.72	20.48
Hourly	561.20	589.60	618.80	650.00	682.00	716.40	751.60	788.80	819.20
BiWeekly	1,122.40	1,179.20	1,237.60	1,300.00	1,364.00	1,432.80	1,503.20	1,577.60	1,638.40
Annual	29,182.40	30,659.20	32,177.60	33,800.00	35,464.00	37,252.80	39,083.20	41,017.60	42,598.40
Prem Rate	21.05	22.11	23.21	24.38	25.58	26.87	28.19	29.58	30.72
4	15.44	16.20	17.00	17.87	18.76	19.71	20.67	21.67	22.55
Hourly	617.60	648.00	680.00	714.80	750.40	788.40	826.80	866.80	902.00
BiWeekly	1,235.20	1,296.00	1,360.00	1,429.60	1,500.80	1,576.80	1,653.60	1,733.60	1,804.00
Annual	32,115.20	33,696.00	35,360.00	37,169.60	39,020.80	40,996.80	42,993.60	45,073.60	46,904.00
Prem Rate	23.16	24.30	25.50	26.81	28.14	29.57	31.01	32.51	33.83
5	16.97	17.83	18.72	19.65	20.63	21.66	22.73	23.87	24.80
Hourly	678.80	713.20	748.80	786.00	825.20	866.40	909.20	954.80	992.00
BiWeekly	1,357.60	1,426.40	1,497.60	1,572.00	1,650.40	1,732.80	1,818.40	1,909.60	1,984.00
Annual	35,297.60	37,086.40	38,937.60	40,872.00	42,910.40	45,052.80	47,278.40	49,649.60	51,584.00
Prem Rate	25.46	26.75	28.08	29.48	30.95	32.49	34.10	35.81	37.20
6	17.98	19.60	20.58	21.60	22.69	23.84	25.04	26.23	27.29
Hourly	719.20	784.00	823.20	864.00	907.60	953.60	1,001.60	1,049.20	1,091.60
BiWeekly	1,438.40	1,568.00	1,646.40	1,728.00	1,815.20	1,907.20	2,003.20	2,098.40	2,183.20
Annual	37,398.40	40,768.00	42,806.40	44,928.00	47,195.20	49,587.20	52,083.20	54,558.40	56,763.20
Prem Rate	26.97	29.40	30.87	32.40	34.04	35.76	37.56	39.35	40.94

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Bureau of Human Resources		Standard Salary Schedule										Thursday, November 12, 2015
Salary Specification = 58		for										
Effective from Monday, October 05, 2015		Legis-Employee: Exempt										
Grade	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7	Step 8	Step 9	Step 10	Step 11	
7	19.78	21.56	22.64	23.77	24.98	26.21	27.51	28.86	30.00	31.17	32.33	
Hourly	791.20	862.40	905.60	950.80	999.20	1,048.40	1,100.40	1,154.40	1,200.00	1,258.80	1,320.00	
Weekly	1,582.40	1,724.80	1,811.20	1,901.60	1,998.40	2,096.80	2,200.80	2,308.80	2,400.00	2,508.80	2,640.00	
BiWeekly	41,142.40	44,844.80	47,091.20	49,441.60	51,958.40	54,516.80	57,220.80	60,028.80	62,400.00	65,174.40	68,640.00	
Annual	29.67	32.34	33.96	35.66	37.47	39.32	41.27	43.29	45.00	46.83	48.60	
Prem Rate												
8	21.78	23.71	24.89	26.17	27.44	28.83	30.25	31.72	33.00	34.33	35.67	
Hourly	871.20	948.40	995.60	1,046.80	1,097.60	1,153.20	1,210.00	1,268.80	1,320.00	1,378.40	1,440.00	
Weekly	1,742.40	1,896.80	1,991.20	2,093.60	2,195.20	2,306.40	2,420.00	2,537.60	2,640.00	2,758.40	2,940.00	
BiWeekly	45,302.40	49,316.80	51,771.20	54,433.60	57,075.20	59,966.40	62,920.00	65,977.60	68,640.00	71,714.40	75,240.00	
Annual	32.67	35.57	37.34	39.26	41.16	43.25	45.38	47.58	49.50	51.67	53.81	
Prem Rate												
9	24.34	26.51	27.81	29.22	30.67	32.23	33.81	35.46	36.87	38.41	39.94	
Hourly	973.60	1,060.40	1,112.40	1,168.80	1,226.80	1,289.20	1,352.40	1,418.40	1,474.80	1,544.00	1,618.40	
Weekly	1,947.20	2,120.80	2,224.80	2,337.60	2,453.60	2,578.40	2,704.80	2,836.80	2,949.60	3,088.00	3,240.00	
BiWeekly	50,627.20	55,140.80	57,844.80	60,777.60	63,793.60	67,038.40	70,324.80	73,756.80	76,689.60	80,174.40	83,720.00	
Annual	36.51	39.77	41.72	43.83	46.01	48.35	50.72	53.19	55.31	57.91	60.00	
Prem Rate												
10	26.33	28.69	30.13	31.64	33.21	34.87	36.61	38.41	39.94	41.67	43.46	
Hourly	1,053.20	1,147.60	1,205.20	1,265.60	1,328.80	1,394.80	1,464.40	1,536.40	1,597.60	1,672.00	1,748.00	
Weekly	2,106.40	2,295.20	2,410.40	2,531.20	2,656.80	2,789.60	2,928.80	3,072.80	3,195.20	3,336.00	3,484.00	
BiWeekly	54,766.40	59,675.20	62,670.40	65,811.20	69,076.80	72,529.60	76,148.80	79,892.80	83,075.20	86,944.00	90,720.00	
Annual	39.50	43.04	45.20	47.46	49.82	52.31	54.92	57.62	59.91	62.81	65.31	
Prem Rate												
11	28.95	31.56	33.13	34.79	36.55	38.38	40.29	42.22	43.92	45.81	47.76	
Hourly	1,158.00	1,262.40	1,325.20	1,391.60	1,462.00	1,535.20	1,611.60	1,688.80	1,756.80	1,838.40	1,924.00	
Weekly	2,316.00	2,524.80	2,650.40	2,783.20	2,924.00	3,070.40	3,223.20	3,377.60	3,513.60	3,672.00	3,836.00	
BiWeekly	60,216.00	65,644.80	68,910.40	72,363.20	76,024.00	79,830.40	83,803.20	87,817.60	91,553.60	95,944.00	100,000.00	
Annual	43.43	47.34	49.70	52.19	54.83	57.57	60.44	63.33	65.88	68.91	71.45	
Prem Rate												
12	31.85	34.73	36.48	38.26	40.17	42.19	44.28	46.43	48.30	50.31	52.45	
Hourly	1,274.00	1,389.20	1,459.20	1,530.40	1,606.80	1,687.60	1,771.20	1,857.20	1,932.00	2,020.00	2,111.60	
Weekly	2,548.00	2,778.40	2,918.40	3,060.80	3,213.60	3,375.20	3,542.40	3,714.40	3,864.00	4,040.00	4,220.00	
BiWeekly	66,248.00	72,238.40	75,878.40	79,580.80	83,553.60	87,755.20	92,102.40	96,574.40	100,464.00	104,784.00	109,520.00	
Annual	47.78	52.10	54.72	57.39	60.26	63.29	66.42	69.65	72.45	75.81	79.20	
Prem Rate												

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Thursday, November 12, 2015

Standard Salary Schedule

Bureau of Human Resources

for

**Legis-Employee: Exempt**

Salary Specification = 58  
Effective from Monday, October 05, 2015

Grade	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7	Step 8	Step 9
13	35.01	38.16	40.07	42.08	44.20	46.39	48.74	51.08	53.13
Hourly	1,400.40	1,526.40	1,602.80	1,683.20	1,768.00	1,855.60	1,949.60	2,043.20	2,125.20
Weekly	2,800.80	3,052.80	3,205.60	3,366.40	3,536.00	3,711.20	3,899.20	4,086.40	4,250.40
BiWeekly	72,820.80	79,372.80	83,345.60	87,526.40	91,936.00	96,491.20	101,379.20	106,246.40	110,510.40
Annual	52.52	57.24	60.11	63.12	66.30	69.59	73.11	76.62	79.70
Prem Rate									
14	38.53	42.00	44.09	46.30	48.61	51.04	53.59	56.22	58.43
Hourly	1,541.20	1,680.00	1,763.60	1,852.00	1,944.40	2,041.60	2,143.60	2,246.80	2,337.20
Weekly	3,082.40	3,360.00	3,527.20	3,704.00	3,888.80	4,083.20	4,287.20	4,497.60	4,674.40
BiWeekly	80,142.40	87,360.00	91,707.20	96,304.00	101,108.80	106,163.20	111,467.20	116,937.60	121,534.40
Annual	57.80	63.00	66.14	69.45	72.92	76.56	80.39	84.33	87.65
Prem Rate									
15	42.39	46.20	48.49	50.95	53.46	56.15	58.93	61.81	64.29
Hourly	1,695.60	1,848.00	1,939.60	2,038.00	2,138.40	2,246.00	2,357.20	2,472.40	2,571.60
Weekly	3,391.20	3,696.00	3,879.20	4,076.00	4,276.80	4,492.00	4,714.40	4,944.80	5,143.20
BiWeekly	86,171.20	96,096.00	100,859.20	105,976.00	111,196.80	116,792.00	122,574.40	128,564.80	133,723.20
Annual	63.59	69.30	72.74	76.43	80.19	84.23	88.40	92.72	96.44
Prem Rate									

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**Appendix B**

**Group Health Insurance Premiums**

**Anthem Health Plan Rates for Full-Time and Part-Time Employees  
Rate Period 7/1/2015 through 6/30/2016**

**I. Salary under \$30,000 Who COMPLETED Health Assessment**

	Total Monthly	Biweekly State Deduction	Biweekly Employee Deduction
Employee only	\$ 795.22	\$ 397.61	\$ 0.00
Employee & Spouse/Dom Partner	\$ 1663.32	\$ 665.33	\$ 166.33
Employee & Spouse/Dom Partner & Child(ren)	\$ 1979.12	\$ 760.07	\$ 229.49
Employee & Child(ren)	\$ 1308.22	\$ 558.80	\$ 95.31
Split Contracts	\$ 989.56	\$ 494.78	\$ 0.00

**II. Salary under \$30,000 Who DID NOT COMPLETE Health Assessment  
OR Salary \$30,000 - \$80,000 Who COMPLETED Health Assessment**

	Total Monthly	Biweekly State Deduction	Biweekly Employee Deduction
Employee only	\$ 795.22	\$ 377.73	\$ 19.88
Employee & Spouse/Dom Partner	\$ 1663.32	\$ 644.54	\$ 187.12
Employee & Spouse/Dom Partner & Child(ren)	\$ 1979.12	\$ 739.28	\$ 250.28
Employee & Child(ren)	\$ 1308.22	\$ 538.01	\$ 116.10
Split Contracts	\$ 989.56	\$ 473.99	\$ 20.79

**III. Salary \$30,000 - \$80,000 Who DID NOT COMPLETE Health Assessment  
OR Salary over \$80,000 who COMPLETED Health Assessment**

	Total Monthly	Biweekly State Deduction	Biweekly Employee Deduction
Employee only	\$ 795.22	\$ 357.85	\$ 39.76
Employee & Spouse/Dom Partner	\$ 1663.32	\$ 623.75	\$ 207.91
Employee & Spouse/Dom Partner & Child(ren)	\$ 1979.12	\$ 718.49	\$ 271.07
Employee & Child(ren)	\$ 1308.22	\$ 517.22	\$ 136.89
Split Contracts	\$ 989.56	\$ 453.20	\$ 41.58

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**IV. Salary over \$80,000 who DID NOT COMPLETE Health Assessment**

	Total Monthly	Biweekly State Deduction	Biweekly Employee Deduction
Employee only	\$ 795.22	\$ 337.97	\$ 59.64
Employee & Spouse/Dom Partner	\$ 1663.32	\$ 602.96	\$ 228.70
Employee & Spouse/Dom Partner & Child(ren)	\$ 1979.12	\$ 697.70	\$ 291.86
Employee & Child(ren)	\$ 1308.22	\$ 496.43	\$ 157.68
Split Contracts	\$ 989.56	\$ 432.41	\$ 62.37

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**Appendix B**

**Group Health Insurance Premiums**

**Anthem Health Plan Rates for Session-Only Employees  
Rate Period 7/1/2015 through 6/30/2016**

**NOT IN SESSION (INTERIM) RATES**

**(Employer pays 40% of employee premium and 40% of dependent premium)**

	Total Monthly	Monthly State Share	Monthly Employee Share
Employee only	\$ 795.22	\$ 318.09	\$ 477.13
Employee & Spouse/Dom Partner	\$ 1663.32	\$ 665.33	\$ 997.99
Employee & Spouse/Dom Partner & Child(ren)	\$ 1979.12	\$ 791.65	\$ 1187.47
Employee & Child(ren)	\$ 1308.22	\$ 523.29	\$ 784.93
Split Contracts	\$ 989.56	\$ 395.82	\$ 593.74

**IN SESSION RATES**

**I. Salary under \$30,000 Who COMPLETED Health Assessment**

	Total Monthly	Biweekly State Share	Biweekly Employee Share
Employee only	\$ 795.22	\$ 397.61	\$ 0.00
Employee & Spouse/Dom Partner	\$ 1663.32	\$ 665.33	\$ 166.33
Employee & Spouse/Dom Partner & Child(ren)	\$ 1979.12	\$ 760.07	\$ 229.49
Employee & Child(ren)	\$ 1308.22	\$ 558.80	\$ 95.31
Split Contracts	\$ 989.56	\$ 497.78	\$ 0.00

**II. Salary under \$30,000 Who DID NOT COMPLETE Health Assessment  
OR Salary \$30,000 - \$80,000 Who COMPLETED Health Assessment**

	Total Monthly	Biweekly State Share	Biweekly Employee Share
Employee only	\$ 795.22	\$ 377.73	\$ 19.88
Employee & Spouse/Dom Partner	\$ 1663.62	\$ 644.54	\$ 187.12
Employee & Spouse/Dom Partner & Child(ren)	\$ 1979.12	\$ 739.28	\$ 250.28
Employee & Child(ren)	\$ 1308.22	\$ 538.01	\$ 116.10
Split Contracts	\$ 989.56	\$ 473.99	\$ 20.79

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**III. Salary \$30,000 - \$80,000 Who DID NOT COMPLETE Health Assessment  
OR Salary over \$80,000 who COMPLETED Health Assessment**

	Total Monthly	Biweekly State Share	Biweekly Employee Share
Employee only	\$ 795.22	\$ 357.85	\$ 39.76
Employee & Spouse/Dom Partner	\$ 1663.32	\$ 623.75	\$ 207.91
Employee & Spouse/Dom Partner & Child(ren)	\$ 1979.12	\$ 718.49	\$ 271.07
Employee & Child(ren)	\$ 1308.22	\$ 517.22	\$ 136.89
Split Contracts	\$ 989.56	\$ 453.20	\$ 41.58

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**Appendix C**

**Group Dental Insurance Premiums  
For period July 1, 2015 through June 30, 2016**

**Full-time and Part-time Employees**

Effective July 1, 2014, the employee's biweekly share in the costs of dental insurance coverage is as follows:

	Total Monthly	Biweekly State Deduction	Biweekly Employee Deduction
Employee only	\$26.26	\$13.13	\$ 0.00
Employee & one dependent	\$46.94	\$13.13	\$10.34
Employee & two or more dependents	\$89.82	\$13.13	\$31.78

**Session-Only Employees**

**NOT IN SESSION (INTERIM) RATES**

**(Employee pays 0% of employee premium and 0% of dependent premium)**

	Total Monthly	Monthly State Share	Monthly Employee Share
Employee only	\$26.26	\$0.00	\$26.26
Employee & one dependent	\$46.94	\$0.00	\$46.94
Employee & two or more dependents	\$89.82	\$0.00	\$89.82

**IN SESSION RATES**

	Total Monthly	Monthly State Share	Monthly Employee Share
Employee only	\$26.26	\$26.26	\$ 0.00
Employee & one dependent	\$46.94	\$26.26	\$20.68
Employee & two or more dependents	\$89.82	\$26.26	\$63.56

**Appendix D**

**Group Life Insurance Premiums**

**Supplemental Plans:**

The employee cost for supplemental insurance is as follows, and is subject to change in accordance with program requirements:

<u>Age of Employee</u>	<u>Rate per \$1,000 (Biweekly)</u>
Age < 44	\$0.02
Age 45 – 49	\$0.04
Age 50 – 54	\$0.07
Age 55 – 59	\$0.11
Age 60 – 64	\$0.17*
Age 65 plus	\$0.22*

\*Note: State employees who were at least age 60 as of April 1, 2008 will continue to pay a rate of \$0.14.

**Dependent Plans:**

The biweekly insurance premium for dependent life insurance plans is currently \$0.89 for Dependent A coverage and \$1.57 for Dependent B coverage, and is subject to change in accordance with program requirements.

**Appendix E**

**Vision Insurance Premiums**

The rates for vision insurance listed below are effective through June 30, 2016, and are subject to change in accordance with program requirements. Dependent is defined as a spouse, domestic partner or child.

**For Full-time and Part-time Employees:**

	Total Monthly	Biweekly State Deduction	Biweekly Employee Deduction
Employee only	\$4.92	\$0.00	\$2.19
Employee & one dependent	\$3.51	\$0.00	\$3.51
Employee & two or more dependents	\$5.70	\$0.00	\$5.70

**For Session-only Employees:**

	Total Monthly	Monthly State Share	Monthly Employee Share
Employee only	\$ 4.38	\$0.00	\$ 4.38
Employee & one dependent	\$ 7.02	\$0.00	\$ 7.02
Employee & two or more dependents	\$11.40	\$0.00	\$11.40