

MAYOR AND COMMISSIONERS OF THE TOWN OF PERRYVILLE
Ordinance 2022-20

Introduced By: Mayor Roath

Date Introduced: December 6, 2022

Amendments Adopted: N/A

Date Adopted: January 3, 2023

Date Effective: January 23, 2023

AN ORDINANCE concerning

TOWN PERSONNEL MANUAL

FOR the purpose of making miscellaneous revisions to the Town's current employee Personnel Manual.

BY repealing and reenacting, with amendments

Page 2-4, Chain of Command

Page 2-4, Police Officers

Page 3-3, Appointments

Page 3-5, Probationary Period

Page 3-5, Performance Appraisals

Page 3-8, Point System

Page 4-2, Compensatory Time

Page 5-1, Holidays

Page 5-2, Paid Annual Vacations

Page 5-3, Sick Leave

Page 10-1, Grievance Procedures

Town of Perryville Personnel Manual (adopted by Ordinance 2012-1 and amended by Ordinances 2013-05, 2013-07, 2016-10, 2018-07, 2018-15, 2019-17, 2020-11, 2021-01, 2021-13, and 2022-01)

KEY:

((Double parentheses)) denotes text removed from Personnel Manual

CAPITAL LETTERS denote new text in the Personnel Manual

SECTION 1. BE IT ENACTED BY THE MAYOR AND COMMISSIONERS OF THE TOWN OF PERRYVILLE that Page 2-4, Chain of Command; Page 2-4, Police Officers; Page 3-3, Appointments; Page 3-5, Probationary Period; Page 3-5, Performance Appraisals; Page 3-8, Point System; Page 4-2, Compensatory Time; Page 5-1, Holidays; Page 5-2, Paid Annual Vacations; Page 5-3, Sick Leave; and Page 10-1, Grievance Procedures, of the Perryville Personnel Manual adopted by Ordinance 2012-1 and amended by Ordinances 2013-05, 2013-07, 2016-10, 2018-07, 2018-15, 2019-17, 2020-11, 2021-01, 2021-13, and 2022-01, are hereby repealed and reenacted, with amendments, as follows:

On page 2-4, revise “CHAIN OF COMMAND” to read as follows:

The Town has established procedures in place to address employee concerns/complaints. The chain of command requires you to file your grievance or complaint in the following order:

- 1.) Your immediate supervisor
- 2.) Department Head
- 3.) The Town Administrator or designee
- 4.) The Mayor AND COMMISSIONERS

An employee who has a complaint or grievance may discuss the grievance with their immediate supervisor, a higher-level supervisor or his/her department head without fear of interference, restraint, discrimination or reprisal.

and

On page 2-4, revise “POLICE OFFICERS” as follows:

Police officers will be subject to the Police Department rules and regulations as outlined in the Police Department Administrative Manual, except that if, and to the extent that, the Police Department Administrative Manual conflicts with this Handbook, ((this Handbook will prevail)) THE POLICE DEPARTMENT ADMINISTRATIVE MANUAL WILL PREVAIL. ((Non-probationary police officers also are subject to the Maryland Law Enforcement Officers’ Bill of Rights. If, and to the extent that, this Handbook conflicts with the Law Enforcement Officers’ Bill of Rights, the Law Enforcement Officers’ Bill of Rights will prevail.))

THE FLSA PROVIDES THAT EMPLOYEES ENGAGED IN LAW ENFORCEMENT MAY BE PAID OVERTIME ON A “WORK PERIOD” BASIS. A “WORK PERIOD” MAY BE FROM 7 CONSECUTIVE DAYS TO 28 CONSECUTIVE DAYS IN LENGTH. FOR WORK PERIODS OF AT LEAST 7 BUT LESS THAN 28 DAYS, OVERTIME PAY IS REQUIRED WHEN THE NUMBER OF HOURS WORKED EXCEEDS THE NUMBER OF HOURS THAT BEARS THE SAME RELATIONSHIP TO 171 HOURS (POLICE) AS THE NUMBER OF DAYS IN THE WORK PERIODS BEARS

TO 28. LAW ENFORCEMENT PERSONNEL MUST RECEIVE OVERTIME AFTER 86 HOURS WORKED DURING A 14-DAY WORK PERIOD.

and

On page 3-3, revise “APPOINTMENTS,” in part, as follows:

Temporary Appointment: when the Town is unable to fill a vacancy because of an insufficient number of applicants, the Town Administrator may fill the vacancy by a provisional appointment. All such appointments require the approval of the Mayor AND COMMISSIONERS and no payment will be made for services rendered by the appointee prior to the appointment.

and

On page 3-5, revise “PROBATIONARY PERIOD,” in part, as follows:

All new and rehired employees work on a probationary basis for ((one (1) year)) NINETY (90) DAYS after their date of hire. Department heads may request an extension of any employee’s probationary period with the prior approval of the Town Administrator. In no event may the probationary period be extended beyond ((eighteen (18) months)) AN ADDITIONAL NINETY (90) DAYS. Employees who are promoted or transferred within The Town of Perryville must complete a secondary probationary period of the same length with each reassignment to a new position.

and

On page 3-5, revise “PERFORMANCE APPRIASAL” as follows:

Department heads and employees are strongly encouraged to discuss job performance and goals on an informal, day-to-day basis. Formal performance evaluations are conducted at ((3 months, 6 months, 9 months and)) 1 year in any new position or an employee’s initial period of a new position. This period, known as the probationary period, allows the supervisor and the employee to discuss the job responsibilities, standards, and performance requirements of the new position.

and

On page 3-8, revise “Point System,” in part, as follows:

- .50-4 hour absence1/2 of an occurrence
- 5-8 hour absence 1 occurrence
- Unauthorized absence.....1 occurrence
- Essential employee unauthorized absence2 occurrences

AN OCCURRENCE WILL NOT BE ASSESSED WHEN AN ABSENCE IS SUPPORTED BY A NOTE FROM THE EMPLOYEE'S MEDICAL PRACTITIONER ATTESTING TO THE NEED FOR THE EMPLOYEE'S ABSENCE'

and

On page 4-2, revise "COMPENSATORY TIME" as follows:

When it becomes necessary for an exempt employee to work compensatory hours, he/she will be compensated in accordance with FLSA at a rate of one for one of the employee's regular rates for all hours worked over forty (40) within the standard work week. The Town Administrator or designee must authorize compensatory work. Failure to secure approval will result in delay or denial of your request. ((No more than twenty (20) hours are allowed to be carried at any given time for Department Heads. No more than forty (40) hours are allowed to be carried at any given time by the Police Chief. Employees are permitted to take compensatory time within a reasonable period of time.)) EMPLOYEES MUST USE ACCRUED COMPENSATORY TIME OFF BY THE END OF THE 26TH PAY PERIOD AFTER THE PAY PERIOD DURING WHICH IT WAS EARNED.

and

On page 5-1, revise "HOLIDAYS" as follows:

The Town of Perryville will grant holiday time off with pay to all employees on the recognized holidays listed below:

- * New Year's Day (January 1)
- * Martin Luther King, Jr. Day (third Monday in January)
- * President's Day (third Monday in February)
- * Memorial Day (last Monday in May)
- * Juneteenth (June 19)
- * Independence Day (July 4)
- * Labor Day (first Monday in September)
- * Veterans Day (November 11)
- * Thanksgiving (fourth Thursday in November)
- * Day after Thanksgiving (NATIVE AMERICAN HERITAGE DAY)
- * Christmas Eve (December 24)
- * Christmas Day (December 25)

and

On page 5-2, revise "PAID ANNUAL VACATIONS," in part, as follows:

Vacation will then be accrued according to the following schedule for years of service:

((Less than 4 years	3 hours per pay period
More than 4 but less than 8 years	4 hours per pay period
More than 8 but less than 15 years	5 hours per pay period
More than 15 years but less than 20 years	6 hours per pay period
20 years or more	8 hours per pay period))

0-5 YEARS	4 HOURS PER PAY PERIOD
6-10 YEARS	5 HOURS PER PAY PERIOD
11-15 YEARS	6 HOURS PER PAY PERIOD
16+ YEARS	8 HOURS PER PAY PERIOD

and

On page 5-3, revise "SICK LEAVE," in part, as follows:

The Town of Perryville provides paid sick leave benefits to all regular employees for periods of temporary absence due to illnesses, injuries and other reasons required by law. Sick leave is a privilege, not a right, and must be utilized as such. Sick leave will be granted to regular employees but may not be taken until the employee has completed ((106)) 90 Calendar Days of Work for the Town. Use of unscheduled sick leave absences or unauthorized absences in a 12-month period from work not protected by FMLA will receive occurrences as shown in the Attendance section of this manual.

Regular Full-time employees will accrue sick leave benefits at the rate of ((3.70)) 4.00 hours per pay period.

and

On page 10-1, revise "GRIEVANCE PROCEDURES," in part, as follows:


Step Three: If the grievance is still not resolved, the employee may request in writing a meeting with the Mayor AND COMMISSIONERS. The Mayor AND COMMISSIONERS will have ten calendar days to schedule the meeting after which, the Mayor will provide a written response to the employee with copies to the Town Administrator, department head and immediate supervisor.

SECTION 2. AND BE IT FURTHER ENACTED BY THE MAYOR AND COMMISSIONERS OF THE TOWN OF PERRYVILLE that this Ordinance shall become effective at the expiration of twenty (20) days following approval by the Mayor and Commissioners.

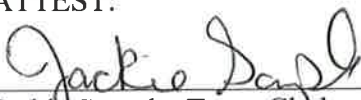
ADOPTED this 3rd day of January, 2023, by a vote of 5 yeas, 0 nays, and 0 abstentions.

SEAL:

**MAYOR AND COMMISSIONERS OF
THE TOWN OF PERRYVILLE**

By: 
Matt Roath, Mayor

ATTEST:


Jackie Sample, Town Clerk

Date: 1/3/2023