

# EASTON POLICE DEPARTMENT

COMPENSATION, BENEFITS AND PERSONNEL ISSUES	
CHAPTER: <b>10</b>	ADMINISTRATIVE MANUAL
AMENDS/SUPERSEDES:	REVISED: <b>October 19, 2016</b>
APPROVED: _____ <i>Chief of Police</i>	EFFECTIVE DATE: <b>June 3, 2002</b>

## 10-1.0 COMPENSATION

### 10-1.1 DEPARTMENT SALARY PROGRAM

#### A. GENERAL

1. The Chief of Police is responsible for developing and recommending an annual request to the Mayor and Council regarding the Department's Personnel Payroll for each fiscal year. All employees are then paid according to the rates established by the Mayor and Council of Easton, which are established annually for each fiscal year, which shall begin July 1 of each successive year.
2. The Department's "Entry Level" salary is normally the minimum rate established in the pay grade for the position the employee is hired.
3. A salary differential within ranks/positions is based upon the employee's longevity with the Department.
4. Salary differential between ranks is determined by the Department's classification and pay scale. When an employee is promoted from one rank to another, a pay increase is included.

### 10-1.2 OVERTIME

#### A. GENERAL

1. All full time employees are eligible for overtime compensation.
2. Employees shall be compensated for duties performed in excess of the regularly scheduled work periods as required by Federal Law. Employees who are required to work in excess of their regularly scheduled workday, or are required to work on scheduled days off are entitled to compensation.
3. All overtime must be approved by a Supervisor or Commander, prior to the employee performing the overtime activity. Final approval of all overtime requests rests with the Chief of Police.
4. Requests for overtime compensation shall be submitted on an **Overtime Request Form 11**.
  - a. Overtime requests shall include a minimum of the date, time worked and justification for the overtime performed by the employee.

- b. Overtime requests shall reflect the actual overtime performed by the employee, except for minimum guarantees.
  - c. Overtime may commence fifteen (15) minutes prior to the start of court to allow officers to obtain necessary evidence and reports.
- 5. Employees may request overtime compensation in two forms:
  - a. Paid Overtime:
    - Employees shall be paid at one and one-half times their regular hourly rate of pay for each hour of overtime worked.
  - b. Compensatory (Comp) Time:
    - Employees may request overtime be designated for compensatory time in lieu of paid overtime.
- 6. Overtime compensation related to training:
  - a. Definitions:
    - 1) Mandated Training:
      - Training that is required by the Maryland Police Training and Standards Commission (MPTSC).
    - 2) Non-Mandated Training:
      - Training that is not required for job certification or mandated by the Department or the MPTSC. Attendance is voluntary on the part of the employee.
    - 3) Long Term Specialized Training:
      - Training that lasts over an extended period of time, such as the FBI National Academy, Evidence Collection Training, etc., and is voluntary on the part of the employee unless the training is required as part of the members job description.
    - 4) Travel Time:
      - Time to and from the Police Administration Building and the training site. The Department may set reasonable travel time allotments for training locations that are frequently used by the Department.
  - b. Overtime shall be determined by the time spent in training in **excess** of the employee's normal work schedule and/or workday. Employees may have their work schedule adjusted to compensate the employee for time spent in training.
    - a. Travel time shall be included in computing the length of time worked by the employee. If lodging is available at no cost to the employee, and the employee chooses to commute to the training, the employee will only be compensated for travel time for one round trip.
    - b. Employees who attend non-mandated training are only entitled to compensatory time, unless they have exceeded the maximum limit restrictions.
    - c. Employees who elect to become involved in long term specialized training, understand that because of extended absence from assigned duties, no additional time off or compensation will be appropriate, unless predetermined by the Chief of Police.
- 7. Minimum overtime compensation:
  - a. Employees who are required to attend court on a regularly scheduled off-duty day are entitled to a minimum of two (2) hours compensation per day.
  - b. Employees who are recalled to duty by a supervisor due to a police emergency, incident or special event are entitled to a minimum of two (2) hours compensation starting from the time the notice was given to the officer to report for duty.
  - c. Employees who are called in by a supervisor to assist or conduct an investigation such as detectives, evidence collection officers, accident reconstruction officers, K-9 officers, etc., are entitled to a minimum of two (2) hours compensation starting from the time the notice was given to the officer to report for duty.

- d. Evidence collection technicians who are placed on “stand-by” status are entitled to two (2) hours overtime per pay period, in addition to any other overtime compensation in the event they are called in.

### **10-1.3 COMPENSATORY LEAVE/TIME**

#### **A. GENERAL**

1. Employees may request overtime compensation to be designated as compensatory (comp) leave time. All requests shall be submitted on an **Overtime Request Form 11** and shall follow the same guidelines as overtime compensation designated for pay.
2. Employees earn one and one-half hour of off duty (leave) time for every hour of overtime earned and designated as compensatory time.
3. Records involving accrued/used compensatory time shall be maintained by the Town Office.
4. Federal Law provides that employees may accrue the following maximum amount of comp time in one calendar year:
  - a. Police Officers: 320 hours of actual overtime performed.
  - b. Non sworn Employees: 160 hours of actual overtime performed.
5. Once an employee has earned the maximum comp time allowable for the calendar year, all subsequent overtime shall be compensated in payment.
6. Accrued comp time may be carried over from one calendar year to the next.

### **10-2.0 BENEFITS**

#### **A. GENERAL**

1. The benefit package available to all full time employees is determined by the Mayor and Council of Easton. A complete listing and explanation of these benefits are listed in the Town of Easton Employee Handbook that is distributed to all members of the Department upon employment.
2. Questions regarding employee benefits should be directed to the Town Human Resources Director.

### **10-2.1 RETIREMENT/HEALTH INSURANCE PROGRAMS**

#### **A. RETIREMENT PROGRAM**

1. All full-time employees are covered by one of two retirement program options offered by the Town of Easton.
2. All sworn police officers are covered under the "Sworn Officer Pension Option".
3. All other full time Department employees are covered under the normal Town pension plan.
3. The provisions of these retirement plans are contained in documents which are attainable by the employee from the Town Office. For specific information, the employee should consult the Town Human Resources Director.

#### **B. HEALTH INSURANCE PROGRAM**

1. The Town of Easton offers employee medical, dental and vision coverage for all regular full-time employees. Coverage begins the first of the month following employment.

2. The Town of Easton pays for the major portion of this benefit coverage for the employee and his eligible dependents. The employee's portion of the payment is deducted each pay period.
3. For details of the health insurance, dental and vision plans or continuation of coverage provisions, please refer to the packet of information and the booklets given to you at employment or sent as updates, or contact the Town Human Resources Director.

## **10-2.2 DEATH BENEFITS PROGRAM**

### **A. GENERAL**

1. Full-time employees who have been employed by the Town of Easton for at least (1) month are eligible for the basic life insurance benefit. The coverage begins the first day of the month following employment. Your basic life insurance benefit is equal to one (1) times your annual salary, rounded up to the nearest thousand dollars, \$19,400 annual base salary equals a benefit of \$20,000. If you die while you are working for the Town of Easton, your beneficiary will receive this amount, up to a maximum of \$50,000. The benefit is reduced to \$2,500 for retirees.
2. The Town of Easton also offers you coverage to protect your family if your death is the result of an accident. Accidental Death and Dismemberment (AD&D) Insurance pays your beneficiary a benefit of one (1) times your annual salary if you die as the result of an accident, also to a maximum of \$50,000. The AD&D insurance plan is provided to all regular full-time employees at no cost to the employee. Benefits will also be paid in the case of certain severe injuries. For details of this plan, please contact the Town Clerk.

## **10-2.3 DISABILITY BENEFITS**

### **A. GENERAL**

1. Short term and long term disability of an employee will be handled in accordance with the applicable Workman's Compensations Laws and/or the Town of Easton Policy. For disability benefits, see 10-2.0., paragraph D, of the Town of Easton Employee Handbook.
2. Disability benefits may be payable in connection with Worker's Compensation claims for those injuries, whether permanent or not, if they are deemed as work related by the Workers Compensation Commission. Payments received by the employee as compensation from the Worker's Compensation Commission or other insuring agency during the period of absence are to be turned over to the Town of Easton for as long as the employee continues to receive compensation from the Town of Easton under this policy.

## **10-2.4 CLOTHING AND EQUIPMENT**

### **A. GENERAL**

1. The Easton Police Department issues its employees clothing and equipment to be used in conjunction with the performance of the employee's duties and responsibilities.
2. The Town is the owner of all issued property and equipment, unless an employee purchases a piece of equipment at their own expense, at which time the piece of equipment must be approved by the Chief of Police (and/or Firearms Instructor) prior to its use.
3. Employees will be held accountable for property and equipment issued to them and shall produce such property and equipment upon demand from a superior.

4. Employees who have been issued uniforms shall only wear the uniform when actually on duty, or while going home from or reporting for duty. Officers who are injured, disabled or who are otherwise incapable of performing police functions, shall not wear the uniform, unless authorized to do so by the Chief of Police.
5. Officers who have been assigned to a non-uniform assignment (investigator, surveillance detail, etc.) shall not wear their uniforms and shall dress appropriately, or as directed by the officer in charge of the non-uniform assignment.
6. Employees shall be given an annual clothing allowance, as determined by the Chief of Police and approved by the Council, to be used to maintain the employee's uniform in a clean and professional manner as prescribed by Department regulations.

## **10-2.5 EDUCATIONAL BENEFITS**

### **A. TRAINING**

1. It is the Department's goal to have highly trained, professional employees, which will result in a high level of service being delivered to the community. Through training and education, this goal, amongst others, can be achieved.
2. It is the policy of this Department to send employees to educational institutions, training academy courses, Department training courses, and other training programs, depending upon their availability, need, and appropriateness.
3. Employees wishing to attend a particular or specialized training course should make the Chief of Police, via the chain of command, aware of the interest so that funding and other administrative concerns can be addressed to allow the employee to attend.

### **B. EDUCATIONAL ASSISTANCE**

1. The Town of Easton will provide formal educational assistance to all eligible employees who have completed six (6) months of service in an eligible employment classification. To maintain eligibility, employees must remain on the active payroll and be performing their job satisfactorily through the completion of the course. Only regular full time employees are eligible for educational assistance.
2. Employees interested in participating in college programs/courses should inform their Division Commander of their interest. Employees should be prepared to discuss how the training applies to their work related strengths or weaknesses and what skills, knowledge or behavior they expect to learn from the course(s). The individual courses that are part of a degree must be related to the employee's current job duties or a foreseeable future position. The Town has the sole discretion to determine whether a course relates to an employee's current job duties or a foreseeable future position.
3. The courses must be approved in advance by the Chief of Police. Fifty percent (50%) of college or graduate level course tuition will be paid up-front with the remaining tuition being fully paid upon documentation provided by the employee indicating that a "C" or better was received in a college level course and a "B" or better for a graduate course. While educational assistance is expected to enhance employee performance and professional abilities, the Department cannot guarantee that participation in formal education will entitle employees to advancement, a different job assignment, or pay increases.
4. If an employee voluntarily separates from the Town of Easton's employment within one (1) year from the last educational assistance payment, the amount of the payment will be considered only a loan. Accordingly, the employee will be required to repay any

educational assistance payments received during the twelve (12) months preceding the termination date.

5. Employees must use accumulated leave time to attend pre-approved educational courses by their supervisor.

## **10-2.6 BUSINESS TRAVEL EXPENSES**

### **A. GENERAL**

1. The Town of Easton will reimburse employees for reasonable business expenses incurred while on assignments away from the normal work location.
2. All business travel must be pre-approved by the member's commander.
3. For an advance to cover travel expenses, the employee must submit a request at least three working days prior to the departure, but not later than the close of business on Friday for payment to be made the following Wednesday.
4. Expenses that generally will be reimbursed include the following:
  - a. Auto mileage for use of a personal vehicle at the current IRS rate.
    - 1) The Easton Police Department supports and encourage all Department members to received training that will enhance their skills and further their education in the criminal justice field.
    - 2) The Easton Police Department will make every effort to provide Department vehicles for members scheduled for training. This will be coordinated through the Support Services Division Commander. If Department transportation is **NOT** available, members must advise the Support Services Division Commander, in writing, **PRIOR** to their scheduled training and receive approval to utilize their personal vehicle.
    - 3) Members choosing to use their personal vehicle, instead of available Departmental transportation **WILL NOT** be reimbursed mileage.
  - b. Meals at reasonable and customary rates as set by the Town.
  - c. Tolls and parking fees.
  - d. Overnight accommodations, if required.
  - e. Other miscellaneous expenses directly related to accomplishing business objectives.
5. When travel is completed, employees must submit a completed "Employee Expense Reimbursement Request" form, through the chain of command, to the Town Clerk.
6. Receipts for all incurred expenses must be attached to the Reimbursement Request form.

## **10-2.7 DEFERRED COMPENSATIONS SAVINGS PLAN**

### **A. GENERAL**

1. The Town of Easton sponsors a deferred compensation program which allows employees to postpone receiving a portion of their salary until they retire, when presumably, your income will be at a reduced level.
2. For a more complete presentation of the benefits of this program, see the Town Human Resources Director.

## **10-2.8 BLOOD BANK/CREDIT UNION**

1. The Town of Easton supports the local Blood Bank that guarantees members the replacement of blood or charges for replacement, regardless of cost or amount used. If required, a membership for each employee will be paid for by the Town if the employee chooses to join.

2. The Department will grant up to one (1) hour of paid time off work to donate blood.
3. Employees and eligible family members are permitted to become members of the State Employees Credit Union (SECU) upon completing the applicable forms available from the Town Clerk.

## **10-2.9 EMPLOYEE ASSISTANCE PROGRAM**

### **A. GENERAL**

1. The Town retains the services of a third party administrator to assist employees and their family members who suffer from problems caused by family or marital stress, emotional illness, financial, legal or medical issues, alcoholism or drug dependency. This service provides confidential counseling assistance and referrals. For more information contact the Town Human Resources Director.

## **10-3.0 LEAVE TYPES**

### **10-3.1 ADMINISTRATIVE LEAVE TYPES**

#### **A. ADMINISTRATIVE LEAVE**

1. Administrative leave may be granted to employees attending professional meetings and technical conferences, short courses in subjects relating to official duties, or toward accomplishing other valid objectives. This type of leave is considered part of the employee's official job and will not be deducted from another type of leave earned by the employee.
2. In the event a police officer's use of force results in, or is alleged to have resulted in, the proximate death or serious physical injury of another person, the officer shall be removed from line of duty status and placed on Administrative Leave, in a non-officer status, pending review by the Chief of Police.
  - a. "Non-officer status": According to Maryland Police Training and Standards Commission Regulation .01, "non-officer status" involves a situation in which an individual with a probationary appointment or current certification as a police officer is temporarily relieved of the powers of a police officer for medical, disciplinary, or other administrative reasons, but who continues to be employed by the Department.
  - b. The Maryland Police Training and Standards Commission will be notified by the Office of the Chief of Police, in accordance with MPTSC Regulation .02-D, whenever an officer is transferred to "non-police officer status" for more than six (6) months.
  - c. This notification will be done in writing and will include the following information:
    - 1) Officer's full name;
    - 2) Social Security Number;
    - 3) Date of action, and
    - 4) A statement indicating the transfer to non-officer status.
  - d. An officer who has been classified in the "non-officer status" is not required to meet MPTSC mandated annual training requirements, but shall be required to receive all applicable training before being re-certified as a police officer upon restoration of full police powers.

**B. BEREAVEMENT LEAVE (FUNERAL LEAVE)**

1. Employees may be granted a maximum of four (4) working days off with pay due to the death of one of the following family members:
  - a. Parent;
  - b. Brother/Sister;
  - c. Spouse;
  - d. Child;
  - e. Grandparent;
  - f. Father/Mother-in-law;
  - g. Son/Daughter-in-law;
  - h. Step-parent;
  - i. Step-child;
  - j. May include any relative who customarily and regularly makes his home with the employee.
2. Employees may be granted one (1) day off with pay due to the death of a brother/sister-in-law.
3. Funeral leave shall not extend beyond the second day following the funeral.

**C. MILITARY LEAVE**

1. Employees with military reserve training obligations that do not exceed two (2) weeks may:
  - a. Elect to take vacation and/or compensatory leave for the work days missed as a result of his military training and receive his normal pay from the Town, along with his military compensation, or
  - b. Elect to take military leave for the work days missed as a result of his military training and receive the difference between his military compensation and his normal pay from the Town, if his Town pay is more than the military compensation.
2. During times of national emergencies, full-time employees may request an unpaid military leave of absence.

**D. LEAVE OF ABSENCE**

1. Employees may request an unpaid, extended leave of absence for personal reasons.
2. To be eligible, employees must have worked for the Department for at least twelve (12) months.
3. Leave will only be granted to an employee who unquestionably expresses, in writing, the intent to return to work with the Department.
4. Any gainful employment while on a leave of absence is prohibited.
5. A leave of absence may be granted for a period of up to twelve (12) weeks within a twelve (12) month period. The employee must use any available personal, sick, vacation or comp leave first as part of the approved absence.
6. All requests shall be made through, and approved by, the Chief of Police, at his discretion for good cause.

**E. CIVIL LEAVE**

1. Employees who are called for jury duty or are subpoenaed as a witness in any civil or criminal legal proceeding to testify as witnesses by the Town of Easton, will receive leave



from scheduled duty, with pay, for such duty during the required absence without charge to accumulated vacation or compensatory leave.

2. Employees who are subpoenaed for a civil or criminal legal proceeding that arose as a direct result of their employment with the Department, who are off duty on the date of the proceeding, will be compensated as required by the overtime guidelines.
3. Fees received for jury or witness duty while the employee was scheduled for duty, will be returned to the Town, with the exception of travel allowances provided by the court. While on civil leave, benefits and leaves will accrue as though on regular duty.
4. Employees are encouraged to fulfill their civic responsibilities by participating in elections. Generally, employees are able to find time to vote either before or after their regular work schedule. If employees are unable to vote in an election during their non-working hours, the Department will grant up to two hours of unpaid time off to vote.

#### **F. PERSONAL LEAVE**

1. Employees are entitled to use one (1) personal leave day for each leave year at their convenience, with prior approval of their supervisor. This paid day of leave may be used for compelling personal reasons such as; observance of a religious holiday, family emergency, or for any other purpose where personal affairs cannot be conducted during working hours.
2. The request and approval shall be conducted under the same guidelines as annual leave. The personal leave day is factored into the employee's vacation accrual rate.

#### **G. FAMILY AND MEDICAL LEAVE**

1. Any eligible employee shall be entitled to a total of 12 work weeks of unpaid leave during any 12 month period for any of the four reasons listed below:
  - a. Because of the birth of a son or daughter of the employee and in order to care for such son or daughter.
  - b. Because of the placement of a son or daughter with the employee for adoption or foster care.
  - c. In order to care for the spouse, or a son, daughter or parent of an employee, if such spouse, son, daughter or parent has a serious health condition.
  - d. Because of a serious health condition that makes the employee unable to perform the functions of the position of such employee.
2. To be eligible for family and medical leave, an employee must have been employed by the Department for at least 12 months and worked, at minimum, 1,250 hours during the previous 12 month period. During the leave, certain employee benefits are to be continued at the employer's expense. At the end of the leave, the employee must be re-instated to their former position, if it is available, or to an equivalent position for which the employee is qualified.
3. Employees requesting such leave must do so, in writing, 30 days prior to its commencement, if possible (unless circumstances occur beyond the employee's control, e.g, a serious accident).
4. The employee must use any available paid personal, sick or vacation leave first as part of the approved period of leave.
5. The total of all leave, paid or unpaid, may not exceed 12 weeks.
6. Within fifteen days of the initial request for leave due to your own serious health condition or that of a family member, the employee must furnish a health care provider's certification verifying the serious health condition and its beginning and expected ending dates.

7. Upon return to work, the employee must provide a health care provider's certification of fitness to return to work if the cause for leave was the employees own serious health condition.
8. Employees who fail to return to work are required to reimburse the Town for any health premiums paid out during the leave period not covered by paid leave.
9. Any gainful employment while on a leave of absence is prohibited.
10. Employees who fail to return to work within three scheduled workdays after the leave entitlement has been exhausted shall be presumed to have resigned from employment.
11. For further information, employees may contact the Town Human Resources Director.

## **10-3.2 HOLIDAY LEAVE**

### **A. DESIGNATED HOLIDAYS**

1. The Town of Easton has designated the following days as paid holidays for all Town employees. Other holidays may be added or existing holidays altered or canceled at the discretion of the Mayor and Council of Easton:
  - a. New Years Day - January 1<sup>st</sup>
  - b. Martin Luther King Day - 3rd Monday in January
  - c. President's Day - 3rd Monday in February
  - d. Good Friday - Friday before Easter
  - e. Memorial Day - Last Monday in May
  - f. Independence Day - July 4<sup>th</sup>
  - g. Labor Day - 1st Monday in September
  - h. Veteran's Day - November 11<sup>th</sup>
  - i. Thanksgiving Day - 4th Thursday in November
  - j. Christmas Eve - December 24<sup>th</sup>
  - k. Christmas Day - December 25<sup>th</sup>
2. Holiday Observance:
  - a. Employees who work a rotating schedule shall, for the purposes of compensation, observe the holiday on the actual calendar date of the holiday.
  - b. Employees who work a fixed schedule with their normal work week being Monday through Friday, shall observe the holidays that fall on a Saturday or Sunday on the date designated by the Mayor and Council.
3. Holiday Compensation:
  - a. A holiday schedule shall be posted by the Chief of Police at least one week prior to all holidays. Employees may be given the holiday off with pay, or required to work at the discretion of the Chief.
  - b. Employees shall be compensated for a holiday equal to the amount of hours worked during a normal day.
  - c. Employees who work part of a designated holiday as part of their normally scheduled workday, shall be paid at one and one-half times their hourly rate for each hour worked on the holiday. The employee shall be compensated for the remainder of their normal workday with holiday time, at a straight rate of hour for hour. (This is not the same as comp-time where 1 hour of comp-time equals 1.5 hours off duty time). The total compensation shall not exceed the employee's normal workday, unless overtime work is performed on the holiday, in addition to the normal workday.

**Example:**

An employee is scheduled to work starting at 1900 hours on Thursday through 0700 hours on Friday. Friday is the designated town holiday. Since the employee's normal workday is 12 hours, he would be compensated as follows:

7 hours of overtime pay and 5.0 hours holiday time.

- d. Employees who work a rotating schedule, who do not work any part of the holiday as part of their regular work schedule, are entitled to one leave (holiday) day. This holiday leave day must be used within sixty (60) calendar days of the holiday. This rule may only be waived by the Chief of Police due to exceptional circumstances. Employees who work any part of the holiday as part of their regular schedule, shall be compensated as described in paragraph c above.
- e. Employees who are scheduled to work a holiday, but would like to be off, may request holiday leave for the day by submitting a request to their Division Commander, via the chain of command.

### **10-3.3 SICK LEAVE PROGRAM**

#### **A. DEFINITIONS**

1. **Accumulated Sick Leave** is the sum of unused sick leave which an employee has earned during prior years and is carried into the current leave year, plus the annual sick leave earned to date by the employee in the current calendar year that is available for use by the employee. Accumulated sick leave may not exceed **15 days**. Any amount accrued beyond the maximum of fifteen days will be forfeited.
2. **Earned Sick Leave** is the sick leave earned to date by an employee for the current leave year. Each employee will accrue weekly, the hourly equivalent of five (5) days sick leave per calendar year, based on the employee's normally scheduled workday.
3. **Leave Year** follows the calendar year from January 1 to December 31.

#### **B. ACCUMULATING, CREDITING OR TRANSFERRING SICK LEAVE**

1. Employees will accrue the hourly equivalent of five (5) sick leave days per calendar year, based on the employee's normally scheduled workday.
2. Employees may carry unused sick leave into the next calendar year, but accumulated sick leave may not exceed fifteen days. Any amount accrued beyond the maximum of fifteen (15) days will be forfeited.
3. Use of sick days by employees that is **not** a result of an occupational accident or disease, shall be deducted from the employee's accumulated sick leave balance. Employees shall be charged for sick leave only after absence on account of illness on days upon which they would otherwise work and receive pay.
4. Employees shall continue to accrue sick leave while in leave-with-pay status, but shall not accumulate sick leave while on a non-pay status.
5. Use of accumulated sick leave for two (2) consecutively scheduled work days, shall require that the employee provide a doctor's certificate stating the date and time of the appointment, as well as, the doctor's certified required time of absence.

### **C. GENERAL**

1. No part-time employee or temporary employee will be eligible for compensation under this policy.
2. The Town of Easton reserves the right to require a doctor's certificate to verify the employee's right to compensation under this policy or to return to duty.

### **D. PERMITTED USES**

1. Absences caused by personal illness, temporary disability, quarantine, and/or injury.
2. Medical, dental or optical appointments.
3. To meet dependent care requirements; illness in the immediate family (parent, spouse, or child residing in the employee's household) which requires the employee to attend to the sick or injured family member.

### **E. REQUESTING SICK LEAVE**

1. All sick leave requests shall be submitted on a Department **Time-Off Request Form 10**.
2. Sick leave may be used in hourly increments if necessary.
3. Employees who are unable to report for duty for any reason due to illness or injury shall notify their supervisor at least one hour prior to their tour of duty on each day they are out of work due to illness, unless prior arrangements have been made with the supervisor. If the immediate supervisor cannot be contacted, the on-duty shift supervisor shall be notified.
4. Employees using sick leave for necessary medical, dental, or optical appointments will notify their supervisor at least 10 days prior to the appointment.  
**Exception:** Appointments scheduled for sudden illness, injury or emergency procedures/tests.
5. Employees having prior knowledge that they will be on sick leave for five or more days, shall be responsible for notifying the courts and the states attorney's office, requesting court dates during the absence be avoided or rescheduled.

### **F. SICK LEAVE APPROVAL**

1. Only commanders, supervisors, or officers in charge of a shift due to the absence of the supervisor, may approve sick leave.
2. Approved sick leave requests shall be forwarded by the supervisor to the appropriate division commander, via the chain of command, on Form10.
3. The supervisor approving the sick leave request shall be responsible for insuring that proper police coverage is maintained in the absence of the sick employee.

### **G. PHYSICIAN'S RELEASE**

1. Required for all Department members on sick leave for two consecutively scheduled workdays.
2. May be required for members on sick leave for one days, at the discretion of their commander.
3. Obtained from private physician, stating the date and time of the appointment, as well as, the doctor's certified required time of absence.
4. Submitted by 0800 hours on the Monday following the absence. If a required release is not furnished, the period of absence will be unpaid and disciplinary action may occur.

## H. PRESCRIPTION DRUGS

1. Members who are required to take any controlled substance or any drugs, prescribed or over-the-counter, which may impair job performance, must disclose this information immediately to their supervisor on a Form 48. The Form 48 shall be forwarded to the Deputy Chief of Police and must contain the following information:
  - a. Type of medication.
  - b. Length of use.
  - c. Possible side effects.
  - d. Any effects which may compromise the member's ability to operate a police car, possess, handle or operate a firearm, or to perform their normal duties while on the medication.
2. It is the member's responsibility to ascertain from the prescribing physician his opinion as to your suitability for work, i.e., whether you can work, cannot work or work with limitations.

## I. SICK LEAVE ABUSE

1. Supervisors will monitor the use of sick leave by all members under their command.
2. Supervisors will note random and/or recurring patterns of absences to identify possible sick leave abuse.
3. Supervisors will discuss absence problems with the member. If, after counseling, a member's attendance does not improve, they may be required to submit a report from their doctor for any sick leave taken.
4. When an investigation and physician's examination reveals that sick leave was taken as a result of a feigned injury/illness or drug abuse, appropriate disciplinary procedures will be followed. The sick leave taken will be converted to unpaid leave.

## J. LEAVE IN EXCESS OF ACCUMULATED SICK LEAVE

1. Extended Sick Leave:
  - a. Employees with at least one full year of continuous service on January 1st of the current calendar year, who have exhausted their accumulated sick leave, may use extended sick leave.
  - b. Extended sick leave will provide compensation for a maximum of twelve (12) weeks, beginning with the sixth (6th) sick day within the current calendar year.
  - c. Sick leave used under this provision **requires** that the employee provide the Department with a doctor's certificate stating the date and time of the appointment, as well as, the doctor's certified required time of absence for each absence payable under this provision. The Department reserves the right to require a second opinion from a doctor selected by the Department, prior to any payment to the employee under the extended sick leave policy.
  - d. Employees with verified medically required absences under this policy will receive compensation at the following rates:
    - 1) Employees with 1 - 3 years of completed service shall be compensated at sixty percent (60%) of their daily base pay.
    - 2) Employees with 4 - 7 years of completed service shall be compensated at eighty percent (80%) of their daily base pay; (Note: employees will be eligible for 80% of base pay on the first day of their fourth year of employment).

- 3) Employees with over seven (7) years of completed service shall be compensated at one hundred (100%) of their daily base pay.
  - e. Employees who have exceeded their accumulated sick leave balance and do not provide the Department with the required doctor's certificate, will have their pay deducted for the time missed.
2. Short-term Disability:
    - a. Employees with at least one full year of continuous service on January 1st of the current year, who require sick leave beyond a total of thirteen (13) weeks, will be compensated at the rate of 60% of base pay for that period between the thirteenth (13th) week of sick leave and entrance into the Long-Term Disability Plan, up to a maximum of thirteen (13) additional weeks.
    - b. The requirements for doctor's certificates for appointments, required absences and the Department's right to a second opinion, are the same as described under the Extended Sick Leave Policy.
  3. Long-term Disability:
    - a. Employees with at least one full year of continuous service on January 1st of the current year, who require sick leave beyond a total of twenty-six (26) weeks, will be covered by the Town of Easton's Long-Term Disability Insurance. Compensation will be made at a rate of up to sixty percent (60%) of base weekly pay up to age 65.
    - b. The requirements for doctor's certificates for appointments, required absences and the Town's right to a second opinion, are the same as described under the Extended Sick leave Policy.

#### **K. OCCUPATIONAL INJURIES AND DISEASES**

Employees who suffer occupational injuries or diseases will be compensated during related absences as stated above except that absences for such occupational injuries and diseases will not be subject to reductions in compensation which might otherwise be applied during the initial thirteen (13) weeks of such absence. Compensation under this provision is subject to the findings of the Worker's Compensation Commission. Payments received by the employee as compensation from the Worker's Compensation Commission or other insuring agency during the period of absence are to be turned over to the Town of Easton for as long as the employee continues to receive compensation from the Town of Easton under this Sick Leave policy. Upon receipt of these payments, time available for sick leave which was previously charged against the employee during the period of absence due to occupational injury or disease will be credited back in the reverse order it was charged. Absences under the provisions of this section will be counted as Sick Leave for attendance purposes. Use of sick leave will first be deducted from the employee's accumulated sick leave balance. Employees will receive full compensation for sick leave charged against their accumulated sick leave balance.

#### **L. PERFECT ATTENDANCE**

Non-exempt employees with at least one full year of continuous service on January 1st of the current year who had perfect attendance (no sick leave) during the previous calendar year will be eligible for a perfect attendance award equal to one (1) day's pay.

## **M. TERMINATION OF EMPLOYMENT**

When an employee leaves the service of the Town, or his appointment is terminated, or he is discharged, he shall be entitled to receive payment in lieu of accumulated and earned sick leave in an amount equal to the number of hours of such leave, multiplied by his current hourly rate of pay.

## **N. LIFE-THREATENING ILLNESS IN THE WORKPLACE**

1. Employees with life-threatening illnesses, such as cancer, heart disease, and Acquired Immune Deficiency Syndrome (AIDS), often wish to continue their normal pursuits, including work, to the extent allowed by their condition. The Town of Easton and the Department supports these endeavors, as long as employees are able to perform the essential functions of their jobs and do not pose a direct threat to the health or safety of themselves or others in the workplace. The Town of Easton and the Department will be sensitive to their conditions and ensure that they are treated consistently with other employees. As in the case of other disabilities, The Town of Easton and the Department will make reasonable accommodations, in accordance with all legal requirements, to allow qualified employees with life-threatening illnesses to perform the essential functions of their jobs.
2. Medical information on individual employees is treated confidentially. The Department will take reasonable precautions to protect such information from inappropriate disclosure. Anyone inappropriately disclosing such information is subject to disciplinary action, up to and including termination of employment.
3. Employees with questions or concerns about life-threatening illnesses are encouraged to contact the Chief of Police for information and referral to appropriate services and resources.

## **O. PREGNANCY RELATED ABSENCES**

1. All employees will be treated equally regarding employment practices with respect to pregnancy, childbirth or related medical conditions.
2. No employee shall be discriminated against, based upon the condition of pregnancy. Employment decisions concerning promotion, transfer, etc., will be based upon the skills, knowledge and ability to perform the job function.
3. Employees who are pregnant, shall submit a physician's certificate if the condition requires the employee to be transferred to other duties for the safety and welfare of the employee and unborn child.
4. Leave requests related to pregnancy or medical disabilities associated with pregnancy will be made in accordance with the sick and short-term disability leave policies outlined in this manual and in accordance with all applicable federal and state laws.
5. For further information, contact the Town Human Resources Director.

## **P. EXTENDED MEDICAL LEAVE:**

For medical leaves of absence that continue in excess of twelve (12) months additional information should be obtained from the Town Human Resources Director.

## **10-3.4 ANNUAL LEAVE**

### **A. DEFINITIONS**

1. **Employee** is construed to mean all full-time persons employed by the Department.
2. **Part-time Employee** is defined as an employee who works less than 30 hours per week.
3. **Annual Leave** is synonymous with vacation leave. It is time off with pay that is available to eligible employees to provide opportunities for rest, relaxation, and personal pursuits. Regular full-time employees earn and use annual leave as described in this policy.
4. **Accumulated Annual Leave** is the unused balance of annual leave which an employee has earned, **plus** the portion of leave earned to a particular date that is available for use by the employee.
5. **Annual Leave Accrual Rate** is the rate of annual leave the employee earns per week of service, based on his longevity with the Department.
6. **Accumulated Leave** is the sum of unused annual, holiday, compensatory and personal leave.
7. **Leave Year** is determined individually for each employee, based on the employee's date of employment with the Department.

## B. ACCRUAL RATE

1. Each employee's annual leave accrual rate is based on the employee's longevity with the Department and the length of the employee's normal workday. To figure an employee's accrual rate, you must first identify how many days the employee is entitled to, based on his longevity. You add one personal day to that number and multiply the sum times the number of hours the employee normally works each day. You then divide that sum by the number of weeks in a year.

**Example:** Employee A is in his 10th year of service with the Department and his normal work day is eight (8) hours. As a ten-year employee, he is entitled to fifteen (15) days of annual leave per calendar year. 15 days leave **plus** 1 day personal leave equals 16 days. 16 days **multiplied** by 8 hours equals 128 hours. 128 hours **divided** by 52 weeks equals **2.46 hours**. Therefore, employee A's annual leave accrual rate is 2.46 annual leave hours per week.

2. Employees are entitled to one (1) personal leave day each year. The personal leave day is carried under annual leave and is factored into the employee's annual leave accrual rate.
3. Employee annual leave, based on length of service with the Town, is as follows:

<u>Length of Service</u>	<u>Days Per Service Year</u>
Less than one (1) year	Earned at the same rate as 1 year
1 year	5 days
2 years	10 days
7 years	15 days
15 years	20 days
25 years	25 days

4. Employees may accumulate up to a maximum of **thirty** (30) days of unused annual leave at any point in time. Accrual of annual leave in excess of 30 days will be forfeited.



5. Employees may be granted "accumulated leave," **not** to exceed fifteen (15) consecutive regularly scheduled workdays. The Chief of Police may waive this upon written request, provided the extended leave of the employee does not adversely affect the efficient operation of the Department.
6. In the event that a paid holiday is observed on a regularly scheduled work day while the employee is on annual leave, the affected employee will be paid his regular salary for the day and the time that would have otherwise been charged as annual leave will remain available for use at another date.

### **C. LEAVE REQUESTS**

1. Employees requesting annual leave shall submit their request on a **Time Off Request Form 10** to their immediate supervisor, who shall approve or deny the request. The supervisor will then transmit the request, via the chain of command, to the Chief of Police for final approval.
2. Requests for annual leave shall be submitted at least seven (7) days prior to the requested leave time.
  - a. Employees who are unable to contact their supervisor for an annual leave request shall contact the Assistant Supervisor of the squad/unit they are assigned to.
  - b. In emergency situations, employees who are unable to contact either supervisor may submit their request to the Division Commander. If the request is made when the Division Commander is off-duty, the request shall be submitted to the on-duty Patrol Supervisor. The on-duty supervisor shall ensure that adequate police coverage is available before approving the request or for arranging adequate coverage for emergency cases.
3. Members will be notified by Department email when the request is approved or denied and should not assume that a request has been approved.

### **D. GRANTING ANNUAL LEAVE**

1. Annual leave is designed to benefit the employee and to be used at the employee's convenience. Every effort will be made to grant annual leave requests that provide advance notice, if the request does not adversely affect the Department's ability to provide adequate police services to the community.
2. Supervisors shall meet with their subordinates to project annual leave usage for the year to ensure that leave is taken fairly.
3. Employees may not use earned annual leave within the first six months of employment.
4. Leave requests that are not submitted in advance, as required, may be granted at the supervisor's discretion, if the request does not adversely affect the Department's or the squad's ability to provide adequate police services to the community.
5. Annual leave may be denied when:
  - a. Other squad members are on annual leave, attending mandatory training, or on sick leave.
  - b. A heavy workload is created by approaching holidays or events, etc.,
  - c. Or any other reason that may adversely affect the Department's ability to provide adequate police services to the community.
6. In order to provide officers with appropriate supervision, the Department believes it is important to have a supervisor on-duty whenever possible. Except under emergency circumstances, only the Chief of Police has the authority to approve **leave** requests for the same tour of duty by the supervisor and assistant supervisor of a patrol squad.

7. Denied annual leave requests may be appealed by the employee, via the chain of command, to the Chief of Police, who has the ultimate authority to approve or deny all leave requests.
8. The Chief of Police, a Commander, or in emergency situations, a supervisor of the Department may cancel approved annual leave if conditions exist, that such action would be in the best interest of the Department in providing adequate police services to the community. Prior to canceling an employee's leave, every effort will be made to find adequate manpower, such as overtime, temporary transfers, or cancellation of other types of leave.

#### **E. TERMINAL LEAVE**

1. When an employee leaves the service of the Town, or his appointment is terminated, or he is discharged, he shall be entitled to receive payment in lieu of accumulated and earned annual leave, in an amount equal to the number of hours of such leave, multiplied by his current hourly rate of pay.
2. In computing terminal leave pay due, fractional parts of a week shall not be considered for the purpose of determining hours of current annual leave. Minus leave credit will be refunded in pay by the employee to the Town.
3. Employees who terminate prior to their sixth month anniversary are not entitled to terminal leave.

### **10-3.5 EMERGENCY CLOSINGS**

#### **A. DEFINITIONS**

1. Essential Employees: All sworn police officers.
2. Official Closing: Declaration by the Mayor that the Town is closed for normal business due to an emergency or weather conditions.
3. Normal business hours: Monday through Friday; 8:30 a.m. to 4:00 p.m.

#### **B. EMERGENCY CLOSINGS**

1. In the event of difficult or unsafe weather conditions, i.e., snow or ice storms, hurricanes or other emergency situations, the Mayor of Easton may declare the Town is closed for normal business. In the interest of public safety, it is expected of essential employees to make every reasonable effort to arrive at work on time to provide necessary police related services. Employees are expected to stay informed of approaching bad weather or other potential emergencies and should plan ahead to ensure they are able to report for duty. In the event the employee cannot make it to work because of the emergency or weather related condition, the employee shall contact his supervisor and will make every reasonable effort to report as soon as conditions permit. Employees who report late or cannot report at all will be required to use accrued leave time.
2. Employees who work during the Town's normal business hours when the Mayor declares the Town is closed for an emergency or weather related condition shall be paid overtime for those hours worked.
3. Employees who work in a position not designated as essential for the performance of police services who are scheduled to work during the declared emergency may be sent home early, at the discretion of the Chief of Police, or given the day off with pay.

### **10-3.6 LIBERAL LEAVE POLICY**

1. In the event of difficult or unsafe weather conditions, i.e., snow or ice storms, hurricanes or other emergency situations when the Town is not closed, the Chief of Police may make an announcement that liberal leave is in effect. Employees who work in a position not designated as essential for the performance of police services who are scheduled to work, at their discretion, may use accrued leave to remain at home. Employees wishing to take advantage of this policy shall first contact their supervisor and then contact dispatch to inform them of what type of leave they would like to use.
2. If an employee requests to leave work early during an emergency, that employee will be required to use accrued leave of his choice.

### **10-4.0 HEALTH ISSUES**

#### **A. GENERAL**

Information of records regarding an employee with a communicable disease is confidential. Access is limited to those with a legal need to know. Disclosure of such information, except as required by law, must not be made without the expressed written consent of the person having the disease.

### **10-4.1 SMOKING**

#### **A. GENERAL**

1. It is the Department's policy to promote a safer, healthier work environment by declaring all of its facilities to be smoke-free buildings.
2. Smoking and the use of all tobacco products, including vapor products, is prohibited anywhere inside any Department facility.
3. This policy applies equally to all members of the Department and to any visitor, witness, prisoner, or other person entering a Department facility.
4. Supervisors have a responsibility to ensure compliance when violations are brought to their attention.

#### **B. VEHICLES**

1. Smoking and the use of all tobacco products, including vapor products, in agency owned, leased or rented vehicles, is **prohibited**.

#### **C. IN PUBLIC VIEW**

1. The use of any tobacco product in public is discouraged. Members must exercise discretion when using a tobacco product outside of a designated area; e.g., your location, number of people in the area, in the view of minors, etc.
2. Members are prohibited from using a tobacco product while in direct contact with a citizen on a traffic stop or call for service.

## **10-4.2 PHYSICAL FITNESS AND EXAMINATIONS**

### **A. GENERAL**

1. Members shall participate in physical training programs as required by the Department, such as those given by the Special Weapons Unit, K-9 Unit, and during recruit training.
2. For required examinations, there is no fee for the member. If a personal physician is selected, the member must pay the fee.

### **B. PRE-EMPLOYMENT**

1. As part of the police officer selection process, police applicants will, prior to being finally selected for employment, undergo a thorough medical examination. This examination will be at no cost to the applicant.
2. Examining physician will conduct the medical examination, including such laboratory analysis as deemed appropriate, chest X-ray, and cardio examination. The physician will report the results of the examination by letter, in summary form including any recommendations he deems appropriate, to the Police Department, and the individual.
3. For those individuals selected for employment as police officers, copies of the letter will be provided to the Eastern Shore Criminal Justice Academy, upon request, for use in planning the officer-trainee's physical fitness program during basic police training.

## **10-4.3 PSYCHOLOGICAL COUNSELING**

### **A. GENERAL**

1. The Town of Easton retains the services of a third party administrator to assist employees and their family members who suffer from problems caused by marital stress, emotional stress, financial, legal or other stress related issues that require confidential counseling assistance.
2. Members requiring this assistance may contact their insurance carrier for the appropriate resource or contact the Town Office for more information.
3. As part of the police officer selection process, police applicants will, prior to being finally selected for employment, undergo a thorough psychological examination. This examination will be at no cost to the applicant.

## **10-4.4 LIGHT DUTY**

### **A. GENERAL**

1. The Department does not have any light duty positions for employees.

### **B. MEMBERS**

1. Sick or Injured employees who are unable to perform their essential job functions will adhere to existing Town of Easton leave policies as set forth in the Town of Easton Employee Handbook and in this chapter.

## 10-4.5 LINE-OF-DUTY INJURIES/ILLNESSES

### A. DEFINITION

Service Connected Disability - occurs when Department members, without fault or negligence on their part, are injured on the job or in the line of duty, or suffer a disability which resulted from an illness sustained directly in the performance of their work as provided in the State Worker's Compensation Act.

### B. GENERAL

1. Injured members shall:
  - a. Immediately notify their supervisor.
  - b. Submit an Incident Report describing the injury and the circumstances.
  - c. Notify the hospital, doctor and pharmacy that all expenses related to the on-the-job injury are to be billed to the Town insurance carrier for payment under Workman's Compensation.
  - d. Send or bring any doctor's notes or orders for Workman's Compensation Claims to the Town Office on the same day the employee sees the doctor or the day after at the latest.
  - e. Shall send or deliver at the earliest time, any additional medical statements or information concerning when the employee will or may be available for regular duty or temporary re-assignment to other duties for the period of recuperation.
  - f. In the event that the employee is incapacitated as a result of his injuries, the supervisor shall complete step b & c.
2. Supervisors shall:
  - a. Ensure injured members receive whatever medical attention is necessary.
  - b. Arrange for the injured member to receive transportation to the appropriate facility.
  - c. Ensure the officer's duty weapon and other equipment are properly secured
  - d. Take custody of the officer's service weapon if the officer is incapacitated.
  - e. Notify the injured member's commander if the injury appears serious.
  - f. Complete a Supervisor's Investigation Report for Illness or Injury, Form 12.
  - g. If the injury was the result of a motor vehicle accident, complete and submit a Supervisor's Motor Vehicle Accident Assessment Report and a State of Maryland Motor Vehicle Accident Report, Form 1.
  - h. Ensure that all reports are completed before the end of the tour of duty or no later than twenty- four (24) hours after the injury was reported.
  - i. In the event the supervisor is the injured party, the senior officer on duty shall complete the requirements set forth for the Supervisor. The officer handling the investigation shall notify the commander responsible for the supervisor as soon as possible.
3. Commanders:
  - a. If the injury appears serious, the commander will:
    - 1) Notify the Chief and Deputy Chief of Police as soon as practical.
    - 2) Respond to the facility where the member is hospitalized to provide any necessary assistance to the officer.
    - 3) Will be responsible for notification of the next-of-kin.
  - b. Review and sign all reports of the incident.
  - c. Forward all reports to the Deputy Chief.
4. Deputy Chief:

- a. Will review and ensure that all reports are forwarded to the Town Office within twenty four (24) hours of the injury/illness for processing.
- b. May have the cause of the accident/injury to be reviewed.
- b. Will be the liaison with the Town Human Resources Director and the Workers Compensation Board or the Town's Insurance Carrier.

#### **10-4.6 EXPOSURE TO COMMUNICABLE DISEASES**

##### **A. EXPOSURE**

- 1. Precautions should be taken to minimize risk.
- 2. Occurs when a person's blood or body fluids transfer to an officer's blood stream by:
  - a. Needle sticks (e.g., accidental stick while searching, etc.).
  - b. Human bites or openings in the skin.
  - c. Body fluids, such as blood, saliva, tears, vomitus, semen, urine or feces splashed into the eyes, nose or mouth.
  - d. Airbourne.

##### **B. PRECAUTIONS**

- 1. Members shall take all necessary precautions and whenever possible, wear disposable rubber gloves when:
  - a. Entering crime scenes where body fluids are present.
  - b. Handling body fluids or items that may contain contaminated blood or body fluid products (hypodermic needles, syringes, knives, etc.) , or when handling either wet or dry items which were soiled.
  - c. Searching prisoners.
  - d. Packaging and handling these items as evidence.
  - e. Cleaning up blood or other secretions which have contaminated floors, seats, equipment, etc.
- 2. When removing disposable gloves:
  - a. Roll gloves inside out from the wrist to the fingertips.
  - b. Dispose of gloves in a bio-hazard container if contaminated with blood. All other gloves may be disposed of in a regular trash container.
  - c. Immediately wash hands with soapy water.
- 3. Open cuts and sores on the members should be protected with bandages.
- 4. Bandages should be changed if they become wet or soiled.
- 5. Avoid placing fingers in anyone's mouth.
- 6. Avoid contact with people having AIDS if the member has leukemia, other cancers, or is taking medicines that suppress the immune system.
- 7. All contaminated evidentiary items shall be placed in the appropriate evidence container and shall be clearly marked - "CONTAINS POSSIBLE BIO HAZARDOUS ITEMS". When handling items that may be contaminated, members are to wear appropriate disposable gloves or gowns.

##### **C. DISINFECTION PROCESS**

- 1. Remove gross contamination from clothing at the scene using paper towels tissues, etc.
- 2. Return to headquarters, as soon as possible, when supervisors have made arrangements for relief at the scene.

3. Remove contaminated clothing at the department.
4. Wash the skin contacted by the body fluid with soap and hot water while wearing surgical gloves.
5. Dry skin and apply a paper towel soaked in 70% isopropyl alcohol to the affected area for two minutes.
6. Rewash the area with soap and water and dry. Do not rub skin so hard that it becomes chafed.  
**NOTE:** Any items (e.g., towels, tissues, bandages, etc.) contaminated by blood shall be disposed of in the bio-hazard container.
7. If receiving a percutaneous wound or other exposure to a communicable disease, immediately notify the Squad Supervisor of the incident and seek immediate medical attention at the nearest hospital. Situations which would constitute a percutaneous exposure include:
  - a. Being stuck with a hypodermic needle, knife, or other sharp object.
  - b. Being exposed to an open wound of mucous membrane (eyes or mouth).
  - c. Exposure to the blood, saliva, or semen of a person with Hepatitis B, AIDS, or infections caused by the AIDS virus.

#### **D. POST- DISINFECTION RESPONSE**

1. Supervisors will:
  - a. Verify that an exposure has occurred.
  - b. Ask the source person if he/she will voluntarily submit to a blood test for Hepatitis-B and the AIDS virus. The blood test will be administered by the Easton Memorial Hospital or their designee. The attending physician shall be requested to medically verify that an exposure has occurred as defined by the Centers for Disease Control.
  - c. Ensure that any arrestee who has bitten a member of this Department or is a suspected carrier of a communicable disease is asked to submit to a blood test.
  - d. Ensure that any reports regarding exposure to a communicable disease or human bite be forwarded to the Chief of Police and Department physician within 24 hours of the incident. The report should include whether or not the biting person submitted to a blood test.
  - e. When a person with a known communicable disease is transported in a Department vehicle or is placed in the holding room, custodial personnel will be notified of the situation and they will be requested to thoroughly clean the holding room or Department vehicle, with a cleaning solution provided by the Quartermaster.
    2. Quartermaster will:
      - a. Ensure that an adequate supply of disposable gloves are maintained in all police vehicles and in the booking area.
      - b. Ensure that special containers are provided for the disposal of all contaminated gloves. These containers shall be clearly marked and properly disposed of whenever necessary.
      - c. Ensure that an adequate supply of cleaning solution is available for use by custodial personnel. A freshly prepared solution of one part household chlorine bleach and nine parts water should be adequate for cleaning contaminated areas. Sterilization is not required.

### **10-4.7 DUTY RELATED TRAUMA**

#### **A. COMMANDERS**

1. Shall be notified immediately whenever members of their command have:
  - a. Been seriously injured as a result of an accident or shooting.
  - b. Caused another to be seriously injured or killed as a result of an accident or shooting.
  - c. Been held hostage by an armed subject.
2. Respond and make contact with the member involved.
3. Contact and enlist the aid of a Chaplain (preferably of the same faith as the officer involved), if necessary.
4. Make arrangements for the notification of an injured member's family.  
**NOTE:** At least one uniformed officer should be present during notification of the member's family.
5. Contact the Department-approved psychological services caregiver.
6. May grant from zero to three days leave before, during, or after the member's contact with the Department-approved psychological services caregiver. Leave beyond this period will be done in accordance with Town policy.

## **10-5.0 PERSONNEL ISSUES**

### **10-5.1 EMPLOYMENT**

#### **A. GENERAL:**

1. In order to provide equal employment and advancement opportunities to all individuals, employment decisions for the Department will be based on qualifications, abilities and performance. The Department does not discriminate in employment opportunities or practices on the basis of race, color, religion, sex, national origin, age, disability, or any other characteristic protected by law.
2. The Department will make reasonable accommodations for qualified individuals with known disabilities, unless doing so would result in undue hardship.
3. Employment does not guarantee employment for any specified period of time. Accordingly, the right to terminate the employment relationship at will is retained by both the employee and the Department.
4. All new employees are required to serve a probationary period as specified in 12-3.0.

### **10-5.2 RE-EMPLOYMENT**

#### **A. GENERAL**

1. Members who leave the Department in good standing may be eligible for re-employment.
2. If the break in service is:
  - a. One year or less, the member may be rehired at the rank and/or position attained before termination and given credit for the break in service, at the discretion of the Chief of Police.
  - b. More than one year, the member may be rehired, but would be considered a new employee. Exception: The member's previous service time would count for retirement and benefit accrual purposes.

### **10-5.3 LATERAL ENTRY PROGRAM**

#### **A. SELECTION**



1. Only Maryland Police Training and Standards Commission (MPTSC) certified police officers will be considered for the Lateral Entry Program.
2. Candidates must successfully complete each phase of the hiring process administered to other police applicants.
3. The Chief of Police will review all lateral entry applications and make the final selection.

#### **B. TRAINING**

1. Candidates will be assigned to a Field Training Officer (FTO) for approximately 80 hours.
2. During the Field Training period, the FTO will evaluate and document the officer's performance of typical police duties listed in the Field Training Guide.
3. Evaluations will be forwarded to the Training Officer for review and assessment.
4. The Training Officer will determine if additional training is necessary.

#### **C. SALARY/RANK**

1. Determined by the Chief of Police.
2. May be equal to, but not greater than, the maximum salary of a patrolman.

### **10-5.4 ASSIGNMENT OF FAMILY MEMBERS**

#### **A. GENERAL:**

1. Family members, as defined below, will not supervise (directly or indirectly within the same chain of command) or otherwise have authority to discipline another family member.
2. Members finding themselves in this situation must immediately notify their immediate commanders.
3. If corrective action is necessary to rectify a situation, reasonable effort will be made to provide a workable solution.
  - a. Requests for exception to this policy must be directed, in writing, to the Chief of Police.

#### **B. FAMILY MEMBERS DEFINED:**

1. Parent and stepparent.
2. Spouse.
3. Child (including adoptive and/or foster children, and stepchildren).
4. Siblings (including stepbrother or stepsister).
5. In-laws by marriage (including mother, father, sister, brother, son, daughter).
6. Aunt/uncle.
7. Grandparent.
8. Niece/nephew.
9. Cousin.
10. Other relationships (reviewed on a case-by-case basis).

## **10-5.5 MILITARY RESERVES**

### **A. GENERAL**

1. Members must forward an intra-department correspondence (IDC) through channels to the Deputy Chief when they:
  - a. Desire to enlist/re-enlist in the military reserves.
  - b. Possess a Military Occupational Specialty (MOS) of which the Deputy Chief is unaware.
  - c. Are currently in the military reserves and their MOS changes.
2. The Deputy Chief must also contain the following information:
  - a. Branch of military involved.
  - b. Length of commitment considered or remaining.
  - c. Member's MOS (if applicable).
3. The Deputy Chief maintains up-to-date files on each reservist.

## **10-5.6 PERSONNEL FILES**

### **A. GENERAL**

1. The Department maintains a personnel file on each member. The personnel files include, but are not limited to, such information as:
  - a. Employment application.
  - b. Personal data sheet.
  - c. Training records.
  - d. Performance evaluations.
  - e. Letters of commendation and counseling reports.
  - f. General correspondence.
2. Personnel files are the property of the Department and the Town of Easton, and access to the information they contain is restricted. Only supervisors and management personnel of the Department who have a legitimate reason to review information in a file are allowed to do so.
3. Members who wish to view their own file should contact the Deputy Chief with reasonable advance notice. Members must review their file in the Department and within the presence of the Deputy Chief or his designee.
4. Members may not make copies of any part of their personnel record without the permission of the Deputy Chief.
5. The Town of Easton maintains a medical file on each employee at the Town Office. The medical file includes such information as medical insurance forms, records of medical examinations, medical histories, etc.
  - a. The medical files are the property of the Department and the Town of Easton, and access to the information they contain is restricted. Generally, only supervisors and management personnel of the Department who have a legitimate reason to review information in a file are allowed to do so.
  - b. Members who wish to view their own file should contact the Town Clerk with reasonable advance notice. Members must review their file in the Town Office and within the presence of the Town Clerk or his designee.

## **10-5.7 INQUIRIES REGARDING DEPARTMENT PERSONNEL**

### **A. GENERAL**

1. Caution must be exercised when handling inquiries of both current and former Department members, particularly those assigned to covert operations (e.g., Vice/Narcotics, Intelligence, etc.).
2. Department members must be courteous and make every effort to assist individuals making inquiries for legitimate purposes.
3. Requests for employment verification and salary information must be made in writing to the Office of the Chief of Police, accompanied by a signed authorization from the employee.
4. If an inquiry is suspicious or questionable, and the caller cannot be identified, the caller shall be referred to a supervisor. In the absence of a supervisor, a message will be taken and forwarded to the member being inquired about.

### **B. NON-DEPARTMENTAL INQUIRES**

1. When a member receives a request from a citizen to speak with a specific officer who is off duty, the member shall:
  - a. Advise the citizen that the officer is not working and ask if another officer may assist them.
  - b. If the citizen still wishes to speak with the off duty officer, the member shall ask the citizen if they would like to leave a message, if in person, or be forwarded to the officer's voice mail if they are on the phone.
  - c. If the citizen requests to know when the officer is scheduled to return to work, the member will:
    - 1) Ask the citizen the reason for the contact to ensure that the request is being made for a legitimate police matter.
    - 2) Obtain the citizen's name and telephone number and case number, if possible.
    - 3) If the citizen provides the requested information, the member may advise the citizen when the requested member is scheduled to return for duty.
    - 4) If the citizen does not provide the requested information, the member may not release the information and the citizen will be asked to leave a message or be forwarded to the officer's voice mailbox.
    - 5) If the officer will not return to work for an extended period of time because he is on vacation or scheduled for training, the citizen will not be provided with this information.
    - 6) If the member has any questions regarding whether or not to honor the request, the member will contact the shift supervisor for guidance.
  - d. Requests to speak with officers assigned to the Narcotics Investigation Unit or the Talbot County Drug Task Force who are off duty shall be forwarded to the officer's voice mail box. Their work schedule shall not be released.

### **C. DEPARTMENTAL INQUIRIES**

1. Callers must be identified as members, prior to releasing personnel information.
2. Methods of verification include checking the Department roster, making a return call to the inquirer, etc.
3. Once identified, the caller will be referred to the proper command or the member.

## **10-5.8 TERMINATION OF SERVICE**

### **A. GENERAL**

1. Termination of employment is an inevitable part of personnel activity within any organization, and many reasons for termination are routine. Below are examples of some of the most common circumstances under which employment is terminated:
  - a. Resignation: voluntary employment termination initiated by the employee.
  - b. Discharge: involuntary employment termination initiated by the Department.
  - c. Retirement: voluntary employment termination initiated by the employee meeting the criteria for retirement set by the Town of Easton.
  - d. Death: termination of employment as the result of the employee's death.
2. Resignation is a voluntary act initiated by the employee to terminate employment with the Town of Easton. Absence from work for three (3) or more scheduled workdays without notifying your supervisor will be considered a resignation.
3. Members must submit a Form 48 through the channels to the Chief of Police announcing their intention to either resign or retire.
4. Members resigning must submit a Form 48, two weeks prior to the resignation date.
5. Members retiring must contact the Town Office for retirement options and benefits.
6. All required forms and paperwork must be completed and submitted.
7. Uniforms and equipment must be turned in prior to the exit interview.

### **B. DEPUTY CHIEF**

1. Upon receiving notification of retirement/resignation request, verifies the member's intention.
2. Ensures all property, reports and forms have been returned.
3. Ensures that an exit interview is conducted.

### **C. TERMINATION APPEAL**

1. Sworn members who are discharged may appeal their termination in accordance with the Maryland Law Enforcement Officer's Bill of Rights.
2. Non-sworn members who are discharged, may initiate an appeal for an informal conference to discuss the circumstances with the Mayor.
  - a. This appeal must be made in writing at the time of, or within five (5) calendar days of the discharge.
  - b. Failure to follow this procedure in the required time period is implied consent from the employee not to contest the Department's action any further.

## **10-6.0 TRANSFERS**

### **10-6.1 GENERAL TRANSFERS**

#### **A. VACANCY POLICY**

1. The Deputy Chief's Office will maintain a Department staffing strength chart, based on the Organizational Chart.
2. Differences between authorized and actual staff are considered vacancies.
3. The Department fills vacancies by transfer, promotion, or hire.

4. Vacancies filled by hire will be done according to applicable procedures.
5. Specialized unit vacancies will generally be filled through the selection process outlined in this article.
6. Non-specialized unit vacancies are filled in accordance with applicable procedures.
7. All transfers are considered temporary assignments.

## **B. CHIEF OF POLICE**

1. Maintains the authority as to whether a vacancy will be filled through transfer or hire.
2. Maintains the authority to fill directly, without competitive processes, vacancies in specialized units.
3. Has final approval over the filling of all vacancies.
4. Approves the assignments of all supervisory and command personnel of the Department.
5. Retains the right to approve or disapprove any transfer, and assign or reassign any Department member to such duties or subdivisions of this agency, when such actions may best serve the interest of the employee, the Department, the Town of Easton or the public interest.

## **C. PROCEDURES**

1. General:
  - a. All transfers are subject to review and approval by the Deputy Chief, in the name of the Chief of Police.
  - b. As with other departmental business and records, all information related to the selection/transfer of an applicant, including the interview questions, personnel records, Internal Affairs findings, and applicant ratings, will be treated as confidential by any Department member having access.
2. Transfer factors:
  - a. In application for transfer, the Department may consider qualifications, including knowledge, training and experience, skill and ability, physical and mental condition, balanced staffing, performance evaluation, and the needs of the Department.
3. Requesting members:
  - a. Complete a Transfer Request Form 94.
  - b. Forward the completed Form 94, along with other necessary paperwork as required for specialized units (refer to the specific Selection Process Notice for the requested assignment), to their supervisor and division commander for approval.
  - c. May request transfers at any time.
  - d. Shall not consider the transfer request process, including approval, an expectation to transfer.
  - e. Are prohibited from soliciting the assistance of persons not members of the Department to obtain a transfer of any kind within the Department.
4. Probationary police officers:
  - a. Remain in their initial assignment for the duration of their probation.
  - b. May request a transfer only after successfully completing probation.
  - c. Retain previously issued equipment, unless otherwise directed.
5. Member's Commander:
  - a. Ensures that all required forms are completed and attached to the Form 94.
  - b. Indicates approval/disapproval, comments, and signs the forms.
  - c. Promptly forwards all forms and attachments to the Deputy Chief.
  - d. Recommending denial of the request:

- 1) Notes the reasons in the comments section of the Form 94.
- 2) Forwards the Form 94 to the Deputy Chief.

#### **D. FORM 94 DISTRIBUTION**

1. Approved requests:
  - a. Original to the Deputy Chief.
  - b. One copy - forwarded to the receiving unit's commander.
  - c. One copy - retained by current command.
2. Disapproved requests:
  - a. Original forwarded to the Deputy Chief.
  - b. Copy returned to the requesting member.

#### **E. DEPUTY CHIEF**

1. Retains the approved Form 94 in active status until one of the following occurs:
  - a. Transfer of the member into the unit.
  - b. Expiration of the active list.
  - c. Request is withdrawn by the member.
  - d. Removal of the member from the approved status.
  - e. Exit from the Department by the member.
2. Notifies the affected commanders of the transfer approval.
3. Places the Form 94 in the member's personnel folder.

#### **F. RECEIVING UNIT'S COMMANDER**

1. Orients members as soon as possible to their roles and responsibilities.
2. Initiates and coordinates specialized training, if required.
3. Advises new members of applicable written guidelines, and where they may be found.
4. Makes every effort to see that the squad/unit assignment remains the same for police officers during their probationary period.

#### **G. APPEALS AND WITHDRAWALS**

1. Appeals:
  - a. Disapproved requests may be appealed by the member within five days of the Form 94 being returned by the member's commander.
  - b. Appeals must be made on intra-department correspondence (IDC) and sent to the Deputy Chief.
2. Transfer withdrawal:
  - a. Members desiring to withdraw any transfer request must submit an IDC, through channels, to the Deputy Chief.
  - b. The IDC must include the reason for withdrawal.
  - c. The IDC will be distributed as follows:
    - 1) Original to the Deputy Chief.
    - 2) Copy to the affected commanders.
    - 3) Copy retained by the member.

## **10-6.2 TRANSFERS TO SPECIALIZED UNITS**

### **A. GENERAL**

1. Specialized Units are units that require specialized, knowledge, skills and abilities of their members in order to accomplish the unit's function.
2. The following are considered specialized units for the Department:
  - a. Criminal Investigation Unit.
  - b. Narcotic/Vice Unit.
  - c. Bike Unit.
  - d. Tactical Unit.
  - e. K-9 Unit.
  - f. Evidence Collection Unit.
3. This directive is designed to assist Specialized Unit Commanders and selection committee members to apply the process in a consistent and fair manner, while ensuring the selection of the most qualified personnel for the Unit.
4. The entire selection process is subject to the review and approval of the Chief of Police who based on the needs and best interests of the Department may waive the process and appoint an officer to a specialized unit.
5. The Deputy Chief is responsible for the administration of the process and all questions should be directed to that office.
6. The selection process is competitive. Several steps in the process involve independent work by the candidate. Any candidate who submits work other than his own will be eliminated from the process and may be subject to disciplinary action.
7. Information associated with the selection process is confidential. The Selection Committee is responsible for maintaining the confidentiality of assessment methods, interview questions, candidates' scores, and other materials and information in order to keep the process fair, impartial and competitive.
8. The Commanding Officer of the specialized unit is responsible for maintaining a current list of qualified applicants certified by the Deputy Chief. Commanders must anticipate the possible effects of promotions and drafts on their units and ensure that certified lists to fill potential vacancies in their unit are established prior to the occurrence of these events.

### **B. SELECTION PROCESS NOTICES**

1. Specialized assignment openings are advertised agency-wide and all interested and qualified members are encouraged to apply. This process provides employees with a greater choice of career opportunities and is a critical step in career development.
2. The Specialized Unit Commander will review the Assignment Description for the position to determine if it is current and accurately reflects the particular job.
3. The Deputy Chief will distribute a Personnel Announcement advertising the position and the deadline for applicants to be submitted.
4. The notice will include descriptions of:
  - a. Minimum qualifications.
  - b. Selection criteria, based on the knowledge, skills, and abilities necessary to perform in the position.
  - c. Examples of duties.

- d. Other exams (e.g., urinalysis, polygraph, etc.) and practical exercises, if any, which must be reviewed and approved by Deputy Chief on a unit-by-unit basis each time the unit wants to utilize the exercise.
- e. Application procedures.
- f. Selection process.
- g. Include a deadline for submission of required information.

### **C. SELECTION COMMITTEE**

1. The Deputy Chief will establish a selection committee who will remain the same throughout the entire process.
2. Selection committee members should hold at least the rank of the advertised position, if applicable, and be sufficiently knowledgeable about the position's requirements in order to effectively assess the candidates' qualifications.
3. Non-sworn personnel may participate as selection committee members.
4. Each committee will have a chairman who will serve as the coordinator and interact with the Deputy Chief.
5. The selection committee screens all materials submitted to determine that the applicants meet the minimum qualifications listed in the Assignment Description, and to evaluate any materials requested in the Personnel Announcement, such as a writing sample.
6. Selection criteria that are determined by means other than an interview question may be rated prior to the interview.
7. Is responsible for reviewing the application package and personnel folder of each applicant.
8. After the initial screening, the Selection Committee may find that some applicants do not meet the minimum qualifications contained in the notice. The Chairman of the Committee will notify the Deputy Chief, in writing, of the reason why those applicants are being disqualified. The Deputy Chief will notify, in writing, those applicants who do not meet the minimum qualifications.
9. Unless a large number of applications are received, the screening of applications should be completed by three weeks after the announced deadline.

### **D. PREPARATION OF SELECTION METHODS**

1. Using the information contained in the Assignment Description, the Selection Committee will:
  - a. Identify and list the selection criteria based on the knowledge, skills, and abilities essential for the performance of relevant and important job duties.
  - b. Formulate and list assessment methods which, whether in the form of an interview question, writing sample, or practical exercise, must be job related and realistically measure a person's ability to perform the job duties. Rating a candidate in any criterion on the basis of a single interview question will not be approved. The repeated use of the same set of questions that were asked in a previous interview generally will not be approved.
  - c. Identify benchmarks that are acceptable responses or performances. Identifying benchmarks ensures that each selection committee member will rate the candidates consistently. Benchmarks must identify what responses will be considered to exceed, meet, or be below the desired level.



2. Each selection method chosen, including questions and benchmarks planned for use, must be reviewed and approved by the Deputy Chief, for suitability to the particular selection criteria and compliance with legal requirements.

#### **E. ORAL INTERVIEWS**

1. The Selection Committee will establish a schedule to interview all qualified applicants, allowing sufficient time between the interviews to avoid rushing applicants through their interviews.
2. Each Selection Committee member is to have a copy of the prepared list of interview questions and benchmarks for each candidate.
3. All applicants will be asked the same pre-approved questions.
4. Each applicant will be rated independently by each interviewer without discussion with the other committee members.

#### **F. POST-INTERVIEW EXAMINATIONS**

The Selection Committee will schedule any post-interview examinations (drug screen, polygraph, practical exercise, etc.) identified in the Assignment Notice. Post-interview examinations that are considered medical inquiries under the Americans with Disabilities Act will be administered only after a conditional selection of the qualified candidates is made.

#### **G. FINAL EVALUATION**

1. After all the previous steps of the selection process are completed, the Selection Committee will forward all documents and materials associated with the selection process to the Deputy Chief.
2. The Selection Committee will submit to the Deputy Chief a Form 48, listing the names of the candidates, in alphabetical order, who were found to be qualified.
3. On a separate Form 48, a list of the names of those candidates who were found to be not qualified and a brief summary explaining why.
4. Candidates will not be informed of their rank or standing by the Selection Committee.
5. The Deputy Chief will review the materials for compliance with protocols. Deputy Chief will retain the selection process documents as confidential files for two years.
6. Commanders may request a file for review or for discussion with an applicant at any time.

#### **H. NOTIFICATION AND TRANSFER**

1. After certifying the eligible list, the Deputy Chief will authorize the Specialized Unit Commander to notify each candidate, in writing, of his status of **qualified** or **not qualified**.
2. All ineligible candidates will be informed, in writing, that they may contact the Specialized Unit Commander with any questions and should be encouraged to apply again in the future.
3. The Chief of Police must first approve any selections made from the eligibility list. Only after this approval is secured can the selected candidate be notified.

4. Candidates selected will serve in a probationary status for a period of 90 days. During the 90-day probationary period, the candidate should be evaluated at 30, 60, and 90-day intervals.
5. Transfer of an employee into a specialized unit will cancel all of that employee's outstanding transfer requests. New transfer requests will not be honored until one year after the transfer into the specialized unit.

### **10-6.3 ADMINISTRATIVE TRANSFERS**

#### **A. GENERAL**

1. Occur for a variety of reasons, including, but not limited to, personnel shortages, special Departmental needs, disciplinary actions, job performance and expertise.
2. Made for disciplinary reasons, must be done in accordance with the Law Enforcement Officer's Bill of Rights.