

ARTICLE IV

Section 104 - Personnel Committee

104.1 - Establishment

~~The Town of Thomaston hereby establishes a Personnel Committee who shall be appointed by a majority vote of the Board of Selectmen and shall consist of five (5) members plus a maximum of two (2) members as described in paragraph II below.~~

A Personnel Committee as originally established by town meeting vote on June 14, 2000 is hereby re-established pursuant to Title 30-A, M.R.S.A. §3001.

Committee members shall be appointed by the Select Board and sworn in by the clerk or other persons authorized to administer oaths. The Committee shall consist of five (5) members plus a maximum of two (2) members as described in 104.1.3 below. The composition of the Personnel Committee shall be as follows:

104.1.1 - One member of the ~~Board of Selectmen~~ Select Board, plus one Alternate Select Person, both chosen by majority vote of the ~~selectmen, plus one alternate Selectman.~~ Board. The Select Persons will serve a one year term but may, upon a majority vote of the Selectmen, serve any number of consecutive or non-consecutive terms.

~~104.1.2 - A maximum of two persons with knowledge pertinent to the position to be filled, appointed by the Town Manager as needed.~~

~~104.1.3~~ 104.1.2 - Four members of the general public plus one first Alternate and one second Alternate, who are residents of the Town of Thomaston chosen by majority vote of the Select Board. These members and alternates will serve staggered terms of three (3) years. ~~plus one alternate member of the public.~~

104.1.3 - A maximum of two persons with knowledge pertinent to the position to be filled, appointed by the Town Manager as needed. These non-voting members will serve during the period necessary to complete the hiring process.

~~The Personnel Committee will annually elect a Chairman, Vice Chairman and Recording Secretary.~~

~~104.2 - Scope~~

~~The scope of the Personnel Committee's duties shall be limited to regular full-time and regular part-time employees.~~

~~104.3 - Terms~~ 104.2 - Organization and Rules

104.2.1- The Committee shall select a Chairperson, Vice Chairperson, and a Secretary from among its members, chosen by majority vote of the committee members.

104.2.2- All officers shall serve one (1) year with eligibility for re-election. It is recommended to select new officers at least every three (3) years.

104.2.3- When a member is unable to act because of conflict of interest, physical incapacity, absence or any other reason satisfactory to the committee, the first Alternate shall fill that seat, in the event the first Alternate is unable to fill that seat, the second alternate shall fill that members seat. The Select Board Alternate may only take the seat of the Select Board Member.

A) An alternate member shall attend all meetings of the committee and participate in its proceedings, but may vote only when he or she is sitting in for an absent member.

B) Additionally, in the event of an alternate filling the seat of a member at any time during the hiring process, that alternate shall hold that seat for the entire hiring process and therefore be a voting member. If the first alternate is unable to complete the entire hiring process, the second alternate may fill the seat for the completion of the process if said second alternate has been present throughout the process to that point. Therefore, all alternates are strongly encouraged to attend all meetings related to the said interview process.

104.2.4- Any question of whether a member shall be disqualified from voting on a particular matter shall be decided by a majority vote of the members except the member who's being challenged.

104.2.5- The Town Manager shall call a meeting as job openings dictate.

104.2.6- No meeting of the committee shall be held without a quorum consisting of three (3) members or alternate members.

104.2.7- The Secretary shall keep a record of meeting dates, members present, officers elected and job description to be filled.

~~104.3.1— The Selectman will serve a one year term but may, upon a majority vote of the Selectmen, serve any number of consecutive or non-consecutive terms.~~

~~104.3.2— Members with knowledge pertinent to the position to be filled will serve during the period necessary to complete the hiring process.~~

~~104.3.3— The remaining four members will serve as follows:~~

~~a. Upon establishment of the Personnel Committee, two members will be appointed to serve a three year term.~~

~~b. One member will be appointed to serve a two year term.~~

~~c. One member will be appointed to serve a one year term.~~

~~d. Thereafter, all terms will be three years.~~

104.4 104.3- Powers and Duties

The Personnel Committee's duties shall be limited to regular full-time and regular part-time employees, as defined in the Town of Thomaston Personnel Policy Manual, and all Department Heads or Directors. The Personnel Committee may be involved in other hirings or promotions if the Select Board determines that special circumstances warrant such committee involvement.

Vacancies or promotions shall be open generally to all qualified applicants. In so far as practical and consistent with the best interests of the Town of Thomaston, preference shall be given to qualified employees within the Department with the vacancy or to qualified residents of the Town of Thomaston.

The Personnel Committee shall:

~~104.4.1 104.3.1-~~ Develop such procedures, keep such records and make such reports as the Town Manager may require~~d~~.

~~104.4.2 104.3.2-~~ Prepare pertinent application forms.

~~104.4.3— Cause public notice of all openings as notified by the Town Manager.~~

~~104.4.4 104.3.3-~~ Develop from job descriptions with the Town Manager and Department Heads, the education, training, experience and physical qualifications for each job classification.

NOTE: It is intended that this be done for each job classification once and then revised only when deemed necessary.

104.4.5 104.3.4- Develop with the Town Manager and Department Heads, those of the following which the Personnel Committee deems necessary for each job classification.

1. Written Exam
2. Oral Exam
3. Performance Exam
4. Medical Exam
5. Physical Agility Exam
6. Psychological Exam

Determine the elements in each exam, and the weight attached to each. All exams may be competitive or non-competitive as the Personnel Committee may determine in each case.

NOTE: It is intended that this be done for each job classification once and then revised only when deemed necessary.

104.4.6 104.3.5- Compile a "Register of Eligibles" as the result of evaluation.

104.4.7 104.3.6- Certify all eligibles arranged in descending order as a result of evaluation.

104.5 104.4- Process

Upon notification by the Town Manager, The Personnel Committee shall:

~~104.5.1 Cause advertisements to be placed in pertinent print media detailing the position, qualifications and application deadline.~~

~~104.5.2 Receive all applications arriving by the deadline.~~

104.5.3 104.4.1- Jointly Review all applications received to determine which candidates should be contacted for an interview, and eliminate any that do not meet requirements. Department Heads & the Town Manager may participate as desired or requested by the committee.

104.4.2 - The Town Manager and/or Department Head shall administer exams required for the position and grade same. Results of all exams will be forwarded to the Personnel Committee.

~~104.5.4 Set oral interview appointments with all applicants meeting the requirements and forward that list to the Town Manager who will, via mail, notify the applicants.~~

~~104.5.5 Oral interviews will consist of determining that the applicant in fact meets requirements, his/her background, education/training, experience, appearance, demeanor, etc.~~

104.4.3 - Interviews will be with a majority of Personnel Committee members including up to two (2) temporary members with knowledge pertinent to the position and the Town Manager and/or the Department Head.

104.4.4 - Interviews will consist of inquiry specific to the job to be filled. All questions will be consistent with Title 5, M.R.S.A. §4572.

A) A set of questions will be determined by the Personnel Committee, Department Heads, and Town Manager that are to be asked of all candidates.

B) As appropriate, a set of questions may be asked of individual candidates as determined by the Personnel Committee during the initial application review process.

C) Other questions deemed pertinent at the time of the interview may be asked by any member of the Personnel Committee, Town Manager, and/or Department Head.

~~104.5.6 After the initial interview, meet with the Town Manager and/or Department Head to determine those that will continue the process.~~

104.4.5- Second interviews may be conducted if the Personnel Committee determines that such interviews are needed.

~~104.5.7 The Personnel Committee shall administer exams required for the position and grade same. Results of all exams will be forwarded to the Personnel Committee and Town Manager.~~

- ~~104.5.8~~ Based on the initial oral interview and exam results, determine those applicants for the next interview.
- ~~104.5.9~~ In the event that a second interview is deemed necessary, the second interview will be with a majority of Personnel Committee members including up to two individuals with knowledge pertinent to the position, and the Town Manager and/or Department Head.
- ~~104.5.10~~ The second interview will consist of inquiry specific to the job to be filled, as well as any other questions deemed pertinent by any member of the Personnel Committee, Town Manager and/or Department Head.
- ~~104.5.11~~ **104.4.6** - Based on the results of **this** the interviews, and exams, the Personnel Committee shall determine the best qualified candidates and recommend up to **certify** three applicants to the Town Manager in descending order.
- ~~104.5.12~~ After detailed review of all pertinent information by the Town Manager, the Town Manager will submit his/her choice to the Board of Selectmen for confirmation, in accordance with the Personnel Policy.
- ~~104.5.13~~ In the event the Selectmen fail to confirm the Town Manager's first choice, the Town Manager will submit one of the two remaining certified applicants for confirmation. If the second applicant fails to be confirmed, the Town Manager will notify the Personnel Committee to certify two additional qualified candidates, from the "Register of Eligibles", to the Town Manager.
- ~~104.5.14~~ Certify three applicants, whenever available, to the Town Manager. If there are not three applicants certifiable, the Town Manager, at his/her sole discretion, may select one of the one or two that are certified or require the Personnel Committee to start anew.
- ~~104.5.15~~ If the Personnel Committee certifies three applicants, the Town Manager must select one of them.
- 104.4.7-** If the Personnel Committee recommends three applicants, the Town Manager must select one of them.
- 104.4.8-** If there are not three applicants that the Committee decides to recommend, the Town Manager, at his/her sole discretion, may select one of the one or two that are recommended or require the Personnel Committee to start anew.
- 104.4.9-** After detailed review of all pertinent information by the Town Manager, the Town Manager will submit the Personnel Committee's list of certified applicants in descending order along with his/her choice to the Select Board for confirmation, in accordance with the Personnel Policy.
- 104.4.10-** In the event the Select Board fails to confirm the Town Manager's first choice, the Town Manager will submit one of the two remaining certified applicants for confirmation. If the second applicant fails to be confirmed, the Town Manager will notify the Personnel Committee to recommend two (2) additional qualified candidates, from the "Register of Eligibles," to the Town Manager. New interviews may be conducted.
- ~~104.5.16~~ **104.4.11-** Prior to hiring any applicant or presenting the successful applicant to the Board of Selectmen for confirmation, the Town Manager or his/her designee shall accomplish a background check to include national, state and local agency checks, personal and employment references.
- ~~104.5.17~~ **104.4.12** - At ~~it's~~ the Personnel Committee's discretion, establish the eligibility of certified applicants to be hired in the event a vacancy may occur within one year.
- ~~104.5.18~~ **104.4.13-** In the event of the need to hire a Town Manager, the preceding process will be used except the Chairman of the Board of Selectmen will act in the capacity described for the Town Manager.

104.6—Residency

~~104.6.1—Residents of the Town of Thomaston will receive preference by the Personnel Committee, at the point of certification, when ability and background are considered equivalent to that of a non-resident applicant.~~

~~104.6.2—Upon successful completion of probation, the employee, will reside within statutory limits to ensure his/her ability to serve effectively.~~

104.7 104.5- Severability

~~104.7.1 104.5.1-~~ It is the intention of the Citizens of Thomaston that each separate section of this ordinance shall be deemed independent of all other sections herein. It is the further intention of the Citizens of Thomaston that if any provisions of this ordinance be declared invalid, all other sections remain valid and effective.

~~104.7.2 104.5.2-~~ This ordinance may be amended by a majority vote of the Citizens of Thomaston.

~~104.7.3 104.5.3-~~ This ordinance will be in full force and effect upon majority vote of the Citizens of Thomaston.

~~104.7.4 104.5.4-~~ All existing policies of the Town of Thomaston insofar as they may be inconsistent with the provisions of this ordinance are hereby repealed.

ADOPTED: MARCH 26, 1994 AT THOMASTON ANNUAL MEETING

AMENDED: JUNE 14, 2000 AT THOMASTON ANNUAL MEETING

AMENDED: JUNE 12, 2019 AT THOMASTON ANNUAL MEETING