


Cumberland **County**
POSITION PAPER FOR AGENDA ITEM

TO:	Cumberland County Commissioners
FROM:	James H. Gailey, County Manager
DATE:	July 5, 2023
SUBJECT:	Setting the Chief Deputy’s Rate of Pay & Planned Time Off

Requested Action:

Executive Session under 1 M.R.S.A. §405(6)(A) for the consideration of the compensation of the Sheriff appointed Chief Deputy.

Background & Purpose of Request:

The Sheriff has found a replacement for recently retired Chief Deputy Naldo Gagnon.

The Chief Deputies position is governed under State Statute 30-A, Chapter 1, Subchapter 6, Article 3, Subsection 383. The State states “...the sheriff in each county shall appoint a chief deputy to serve under the sheriff.” The Statute later states that the chief deputy serves at the will of the sheriff and has the powers and duties of a deputy sheriff and is subject to the direction of the sheriff in the administration of the office. The sheriff is responsible for the official misconduct or neglect of the chief deputy. Statute goes on to define minimum qualifications that a chief deputy must meet.

The Commissioners become involved through the setting of salary and benefits. As this is an elected officer’s appointment, neither the County Manager nor Human Resource Director have the authority to set these.

The County Commissioners in December of 2022 approved, through a special order, a 5% cost of living raise for elected officials and the chief deputy’s position.

The Commissioners, over a week ago, received the candidate’s resume. The Commissioners will need to go into Executive Session to discuss the candidates pay and benefits. Upon exiting the Executive Session, the County Commissioners may opt to make a motion to set the rate of pay and amount of Planned Time Off for the chief deputy candidate.

In 2022, the Commissioners amended the non-union personnel policy as it pertains to Planned Earned Time. The following is the new language:

As of January 1, 2023, **all employees** will accrue Earned Time on an annual basis. Accruals will be awarded proportionally on a monthly basis based upon hours per week worked. Other schedules will be pro-rated as needed. Employees will be credited with Earned Time accumulation from the date of employment.

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Earned Time Scale:

	40 hour week	37.5 hour week
Years 1-5:	200 hrs per yr	187.5 hrs per yr
Years 6-20:	240 hrs per yr	225 hrs per year
Years 21+:	280 hrs per yr	262.5 hrs per year

Employees who were hired into management positions as defined by the Cumberland County Position Classification Plan prior to January 1, 2023, shall accrue Earned Time on an annual basis. Accruals will be awarded in total January 1 and combined with unused earned time from the previous year. Less than a 40 hour per week schedule will be prorated annually as needed. The calculation of advanced hours will include any increase to the employee accrual rate, which occurs during the year for which the calculation is made. Employees who separate before the end of a year for whom hours have been advanced will have hours prorated to the date of separation.

The new chief deputy will earn Planned Earn Time on a monthly basis as per the new language within the non-union personnel policy. The Commissioners may want to consider front loading a week+ to allow the candidate time to accumulate time on a monthly basis.

Funding Amount and Source: General Fund

Attachments: Previously provided