

Ordinance Introduced by Councilor Morrill  
On January 10, 2022

**ORDINANCE No. 1, 2022 Series**

**City of Caribou  
County of Aroostook  
State of Maine**

**An Ordinance To Amend the Caribou Code, Chapter 2 Administration, for the calculation of the Regular Part-Time Employee Vacation hours**

Short Title: An Ordinance to Amend Chapter 2 Administration

**WHEREAS**, the City of Caribou is a Local Unit of Government under the State of Maine; and

**WHEREAS**, the City of Caribou has adopted the Caribou Code; and

**WHEREAS**, the Caribou Code includes Chapter 2 – Administration, which outlines personnel policies for employees of the City of Caribou; and

**WHEREAS**, this chapter outlines the benefits available for employees classified as Regular Part Time; and

**WHEREAS**, the chapter states that, “Regular part-time employees are eligible, on a pro rata basis, for vacation and retirement benefits, subject to the terms, conditions and limitations of each benefit program.”; and

**WHEREAS**, the chapter states that, “Paid holidays will be provided to regular part time employees on a pro-rata basis.”; and

**WHEREAS**, the chapter states, “Regular part time employees are eligible to accumulate vacation based on the average number of hours worked in the past year. The average number of hours is calculated at the number of years of service.”; and

**WHEREAS**, a strict interpretation of the phrase “hours worked in the past year” does not include the vacation or holiday benefit hours in the calculation for vacation hours to be used in the following year; and

**WHEREAS**, the Caribou City Council desires to amend Chapter 2 and the method for the calculation of vacation hours for regular part time employees so that regular part time employees are not penalized for using the earned benefit time; and

**NOW THEREFORE**, the City Council of the City of Caribou, County of Aroostook, State of Maine, pursuant to the requirements of the City of Caribou Charter, Section 2.11(1), does ordain the following:

**Section I. Revisions**

The related exhibits are hereby amended as indicated in the attached Exhibit A.

**Section II. Severability**

If any part of this ordinance or the application thereof to any person or circumstances shall, for any reason, be adjudged by a court of competent jurisdiction to be unconstitutional or invalid, such judgment shall not affect, impair or invalidate the remainder of this ordinance or the application thereof to other persons and circumstances, but shall be confined to its operation to the section, subdivision, sentence or part of the section and the persons and circumstances directly involved in the controversy in which such judgment shall have been rendered. It is hereby declared to be the intent of the City Council that this section would have been adopted if such invalid section, provisions, subdivision, sentence or part of a section or application had not been included.

**Section III. Posting and Effective Date**

This ordinance, being introduced on the \_\_\_\_ day of \_\_\_\_\_ 2022 and a public hearing being held on the \_\_\_\_ day of \_\_\_\_\_ 2022 was duly passed by the City Council of the City of Caribou, Maine, this \_\_\_\_ day of \_\_\_\_\_ 2022. This ordinance shall become effective thirty (30) days after adoption by the Council.

\_\_\_\_\_  
Jody Smith, Mayor

\_\_\_\_\_  
Courtney Boma, Deputy Mayor

\_\_\_\_\_  
R. Mark Goughan, Councilor

\_\_\_\_\_  
Doug Morrell, Councilor

\_\_\_\_\_  
John Morrill, Councilor

\_\_\_\_\_  
Joan Theriault, Councilor

\_\_\_\_\_  
Lou Willey, Councilor

Attest: \_\_\_\_\_  
Danielle Brissette, City Clerk

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**Exhibit A**

Caribou Code, Chapter 2 – Administration, Vacations:

Regular part time employees are eligible to accumulate vacation based on the average number of hours worked, holiday hours, and vacation hours per week in the past year. The average number of hours is then calculated at the number of years of service. Effective for the 2022 calendar year, based on hours from the 2021 calendar year.