

# STATE OF MAINE

*EMPLOYEE BENEFITS FOR CONFIDENTIAL EMPLOYEES*

*Updated: December 16, 2019*

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## INTRODUCTION

At and near the top of State Government's management structure, there are employees known as Confidentials. Confidential employees have the responsibility for managing the resources of State Government and establishing State policy. Individually and collectively, confidential employees are ultimately responsible for the efficiency and effectiveness of its programs and services.

Additionally, confidential employees develop for the Governor's consideration management policies and procedures and legislative proposals. They are the link between each Administration and the bureaucracy, and between each Governor and the Legislature.

Confidential employees are in both the unclassified and classified services and are excluded from representation through collective bargaining. There are approximately 900 confidential employees with a variety of backgrounds and expertise, encompassing a broad range of occupations, all working together for the common public good.

This booklet outlines the benefits available to confidential employees. This summary does not supplant Civil Service Law and Rules, except where it broadens some areas covered by specific rules. Questions concerning these benefits or other issues concerning confidential employees may be directed to your department's Human Resources Representative or:

Department of Administrative and Financial Services  
Bureau of Human Resources  
4 State House Station  
Augusta, ME 04333-0004  
Tel. (207) 624-7761



## SECTION I. PAID LEAVE

### VACATION LEAVE

Vacation accrual rates and maximum time accrual are as follows:

|                        |                    |   |
|------------------------|--------------------|---|
| 0* through 10th year   | 10 hours per month | <b>Maximum accrual of<br/>320 hours</b> |
| 11th through 15th year | 12 hours per month |   |
| 16th through 20th year | 14 hours per month | <b>Maximum accrual of<br/>400 hours</b> |
| more than 20 years     | 16 hours per month |   |

*\*Upon hire, appointees (i.e., confidential employees who “serve at the pleasure” of the Governor or Commissioners) will be credited for years of prior experience in a comparable position outside of state government for the purpose of rates of accrual of vacation leave.*

Effective January 1 of each year, vacation hours which will be earned by a confidential employee for the coming year will be advanced and combined with unused vacation hours from the previous year.

For employees hired to confidential positions after the January 1st posting date of each year, vacation hours which would be earned by these employees for the balance of that year will be advanced for use from the date of hire, with full credit for the month hired. On the next January 1st posting date, the employee will be advanced all vacation hours that would be earned for the full year following.

The calculation of advanced vacation hours will include any increase to the employee's vacation accrual rate which occurs during the year for which the calculation is made.

Employees who separate before the end of a year for which vacation hours have been advanced will be compensated for all such advance hours which actually have been earned and are unused at time of separation up to the maximum accrual limit of 320 or 400 hours.

Vacation accrual rates for confidential employees are based on total service years in State Government, regardless of whether such service is continuous or non-continuous. State service includes service as a legislator or legislative staff, and service in the Judicial Branch, but does not include project or non-status acting capacity employment.

### PERSONAL LEAVE DAYS

Confidential employees receive three (3) personal leave days which supplement vacation leave and are provided at the beginning of each calendar year. Confidential employees who are hired after January 1st of any year shall receive the three (3) personal leave days at time of hire. Unused personal leave days may be carried over and applied toward the maximum vacation accrual.

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## HOLIDAY LEAVE

The State provides twelve (12) paid holidays as follows:

|                             |                     |
|-----------------------------|---------------------|
| New Year's Day              | Labor Day           |
| Martin Luther King, Jr. Day | Columbus Day        |
| President's Day             | Veterans Day        |
| Patriots Day                | Thanksgiving Day    |
| Memorial Day                | Thanksgiving Friday |
| Independence Day            | Christmas Day       |

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## SICK LEAVE

Sick leave credits accrue at the rate of eight (8) hours per each calendar month of completed service; 960 hours may be accrued with the excess being placed in lapsed credits. Lapsed credits may be used upon the recommendation of the appointing authority and the approval of the Director of Human Resources.

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## BEREAVEMENT LEAVE

In the event of the death of a spouse, child, grandchild, parent, or significant other living in the same household, an employee is allowed up to five (5) days of leave. Three (3) days of leave are provided in the event of the death of a sibling, ward, or grandparent. These provisions also apply to relationships by marriage.

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## MANAGEMENT LEAVE

Appointing authorities may provide confidential employees with paid leave as necessary and reasonable upon consideration of job requirements and other special circumstances.

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## MILITARY LEAVE

Employees who are members of the National Guard or other authorized State military or naval forces, and those employees who are members of the Army, Air Force, Marine, Coast Guard or Naval Reserve, shall be entitled to a leave of absence from their respective duties without loss of pay, and shall accrue sick and annual leave and seniority during periods of military training that do not exceed seventeen (17) workdays in any calendar year.

## SECTION II. UNPAID LEAVE

### GENERAL

Unpaid leave is generally governed by [Civil Service Rules, Chapter 11, Section 3.](#)

## SECTION III. COMPENSATION

### ACTING CAPACITY

A confidential employee assigned to perform all of the duties of a higher position for more than five (5) days or the employee's normal workweek will be paid as if promoted to the higher position for the length of his/her assignment. Acting capacity does not cover senior employees whose job classifications include occasional or periodic responsibility for the duties of a higher position.

### CONFIDENTIAL SUPERVISORY DIFFERENTIAL

In accordance with Public Law 1980, Chapter 739, Section 7, an appointing authority may recommend and the Governor may approve the payment of a salary differential to a confidential employee who is at the maximum of his salary grade and who is earning less than a subordinate who is at the maximum of his grade and who is receiving nonstandard premium pay pursuant to a labor agreement or other salary differential pursuant to Civil Service Law. The total salary paid to any such confidential employee shall not exceed the total salary of the subordinate by more than the difference between the maximum standard base salary of the confidential employee's grade and the next lower grade.

### UNIFORM MAINTENANCE ALLOWANCE

Employees who supervise employees receiving uniform allowance and who are themselves required to wear uniforms shall receive the same allowance.

### INTEREST ON RECLASSIFICATION

Except for reclassifications or reallocations as a result of reorganization, the State will pay interest of one-third of one percent (1/3 of 1%) per month on all monies due from the date of final decision until payment.

### LONGEVITY

Confidential employees with fifteen (15) years of State service are eligible to receive an annual longevity payment of \$624.00. Confidential employees with twenty (20) years of State service are eligible to receive an annual longevity payment of \$832.00. Confidential employees with twenty-five (25) years of State service are eligible to receive an annual longevity payment of \$1,040.00.

Eligibility for longevity pay is determined by the number of total service years in State Government as of January 1st of each year regardless of whether such years are continuous or non-continuous. State service includes services as a legislator or legislative staff and service in the Judicial Branch, but does not include project or non-status acting capacity employment. Payment will be made in December of the previous calendar year. This payment is considered earnable compensation for retirement purposes.

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## CHILD CARE REIMBURSEMENT

Confidential employees whose wages, tips, and other compensation from their W-2s and whose adjusted gross family income as provided below may be eligible to receive the following reimbursement for employment-related child care expenses. The application period for this benefit is from March 1 to April 15 of any calendar year. Contact your HR Representative for additional information. In families with both parents working for the State, only one parent may apply for the Child Care Reimbursement.

| Family Income                 | up to: | Reimbursement Amount |
|-------------------------------|--------|----------------------|
| less than \$28,560            |        | \$1,300.00           |
| \$28,560 - less than \$33,660 |        | \$1,000.00           |
| \$33,660 - less than \$38,760 |        | \$700.00             |

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## ANNUAL EYE EXAMS

Any confidential employee who spends a significant number of hours operating a VDT on a daily basis is eligible to be reimbursed for an annual eye exam (*if the State's health insurance plan does not cover the cost of the eye exam*). Contact your HR Representative for additional information. Such employees shall be eligible to receive one hundred dollars (\$100.00) towards the cost of corrective lenses or glasses needed by the employee. Additionally, employees who require bifocal, trifocal or progressive lenses shall receive up to one hundred fifty dollars (\$150.00) toward the cost of corrective lenses or glasses needed by the employee as indicated on the report form of the doctor.

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## OVERTIME

Confidential employees through Range 21 shall be eligible for one and one-half (1½) times the hourly rate of pay after actually working eight (8) hours in a day, or after their regularly scheduled hours if greater, or forty (40) hours of actual work in any workweek.

## SECTION IV. INSURANCES

### HEALTH PLAN

The State shall provide health plan coverage for employees pursuant to Title 5 §285. The State shall pay sixty percent (60%) of the cost of dependent premium for each eligible employee who selects dependent coverage.

For more information about the State's health insurance benefits, visit [www.maine.gov/deh](http://www.maine.gov/deh)

### DENTAL INSURANCE

The State provides employee dental insurance. Dependent coverage is available at the employee's own expense.

For more information about the State's dental insurance coverage, visit [www.maine.gov/deh](http://www.maine.gov/deh)

### LIFE INSURANCE

The State pays the premium for basic life insurance which is equal to an employee's annual salary. Supplemental and dependent coverage are available at an employee's own expense.

For more information about life insurance, visit [www.maineopers.org](http://www.maineopers.org)

### TEMPORARY DISABILITY INCOME PROTECTION

Any confidential employee, who, after six (6) months of continuous employment becomes temporarily disabled, shall receive 66 2/3% of his/her salary for a period not to exceed 365 calendar days. The benefit payment shall commence on the day immediately following completion of the use of accumulated sick leave or thirty (30) days of continuous disability, whichever is greater. It shall continue up to the earliest time of:

- (1) The first day the employee is able to return to gainful employment;
- (2) The balance of the 365-day period of continuous total disability; or
- (3) The first day the employee is eligible for a disability retirement allowance under the Maine Revised Statutes, Title 5, Chapter 423, Subchapter 5, Article 3.

A physician's statement is necessary before payment of temporary disability income can be authorized. Employees shall continue to receive the benefits that were provided immediately before the first date of disability.



## SECTION V. RETIREMENT BENEFITS

Confidential employees pay 1.15% and the State pays the remainder of the mandatory contribution to the Maine Public Employees Retirement System. If a confidential employee is appointed for a fixed term or to serve at the pleasure of the appointing authority, he/she is not required by law to participate in the Maine Public Employees Retirement System. The employee instead has a five percent (5%) salary option. Employees may opt for State payment of their individual retirement contribution or they may opt for a five percent (5%) salary increase in lieu of the State payment, either paying their own contribution or not participating in the Retirement System. This option is exercised at the time of appointment.

For a review of retirement and disability retirement requirements and benefits, visit the Maine Public Employees Retirement System website at: [www.maineopers.org](http://www.maineopers.org)

## SECTION VI. PROFESSIONAL EDUCATION AND DEVELOPMENT

Appointing authorities may provide professional education and developmental opportunities for confidential employees, subject to the availability of funds.