



# The Handbook for Massachusetts State Managers



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**Manager Handbook**  
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## Introduction

**“I can assure you, public service is a stimulating, proud and lively enterprise. It is not just a way of life, it is a way to live fully.” - Lee H. Hamilton**

The Manager Handbook was compiled by an inter-agency task force, including representatives from the Human Resources Division who met on a regular basis for several months. Our intent is to provide a central source of accurate **information for new managers**, an overview of policies and the special responsibilities that shape your role as a leader in the Commonwealth’s management team.

This Handbook is written from two perspectives:

- 1) What you need to know as a new manager that affects you personally (compensation, benefits, etc.)
- 2) What roles and responsibilities you will have in connection with various workplace policies and programs.

### Your Special Role as a Manager

Our vision is that you as a manager will significantly contribute to the work environment in many strategic ways:

- Develop an understanding of workplace policies.
- Proactively ensure that workplace policies are consistently enforced and understood.
- Realize the need to partner with human resources, labor relations, legal, or budget directors in complex or new situations you encounter.

The purpose of this Handbook is to help guide and support Massachusetts state managers in carrying out their duties and responsibilities. There is a myriad of laws, rules, regulations, policies, and procedures (collective bargaining agreements, Red Book, Gray Book etc.) that managers must know and incorporate into their daily work. This Handbook provides a general overview; and it is not intended to be the definitive source for all your public management questions.

**Before you review this Manager Handbook, it is critical that you first read the New Employee Orientation Guide.** The Guide provides an introduction to state government and various human resource policies and procedures, essential information all employees need in order to navigate the complexities of state government and be effective in their careers. A significant amount of material is covered in the Guide that is not covered in this Handbook. The link to the New Employee Orientation materials is:

<http://www.mass.gov/anf/docs/hrd/policies/new-employee-orientation/guide.pdf>

You can also visit [www.mass.gov/hrd](http://www.mass.gov/hrd) then look under “HR Policies” for the “New Employee Orientation Kit” link . Using both resources should prepare you with the tools necessary to meet the challenge of providing strong leadership to your state agency.

Please consult your supervisor if you have any questions or concerns. Your supervisor can refer you to your agency resources on the specific issues. We hope you find this Handbook informative and your leadership career with the Commonwealth of Massachusetts both challenging and rewarding. Please send comments, edits, and suggestions by e-mail to: [HRD-DL-ManagerHandbook@massmail.state.ma.us](mailto:HRD-DL-ManagerHandbook@massmail.state.ma.us).

## **Disclaimer**

This Handbook does not purport to contain all of the information about the topics covered. Reference sources have been provided wherever possible for more detailed information about a particular topic.

The topics covered in this Handbook discuss statewide policies and practices. In many cases, your agency may have specific policies and practices that are not contained in this Handbook.

All statements contained herein are accurate as of the date of publication of this Handbook. While efforts will be made to update information when changes occur, there may be occasions when a policy or practice has been revised and the change is not yet reflected here. It is important to note that the latest policy and/or practice will prevail, even if it is not the one represented in the Handbook.

The Human Resources Division will be responsible for providing periodic updates to this material. If you have questions or are unable to find answers to your questions in this Handbook or if you believe information has been changed and the Handbook has not been updated accordingly, please notify your supervisor or human resources representative or send an email to: [HRD-DL-ManagerHandbook@massmail.state.ma.us](mailto:HRD-DL-ManagerHandbook@massmail.state.ma.us).

This Handbook is ***not*** an employment contract and the contents herein may be changed unilaterally at any time. This Handbook only applies to Executive Branch managers.

## Section 1: Information and Data

### Confidentiality

The Manager Code of Conduct has specific language dealing with confidentiality:

“Employees must not disclose any confidential information they receive by virtue of their employment with the state. They must not use such information to further their own interests, whether for financial gain or not. For instance, it would be a violation of this Rule if an employee obtained and gave out confidential information for the purpose of harming anyone because of personal spite or dislike the employee has for a person, company, or agency. Confidential information is entrusted to employees for the needs of the Commonwealth, and it should be treated as property that must not be misused.”

*Many agency records are considered confidential, including but not limited to personnel records, employee/ labor relations records, legal records, health information, CORI (Criminal Offender Record Information), and draft agency policies under development. Your agency may have its own privacy policy or be subject to other laws such as HIPAA (Health Insurance Portability and Accountability Act) which deals with access to medical information. Please consult your supervisor if you have any question as to whether a record is confidential.*

#### **Additional Information:**

Manager Code of Conduct

<http://www.mass.gov/anf/docs/hrd/policies/files/manager-code-of-conduct.rtf>

CORI: M.G.L. Chapter 6, section 168-175

<http://www.mass.gov/legis/laws/mgl/6-168.htm>

“The supreme quality for leadership is unquestionably integrity. Without it, no real success is possible, no matter whether it is on a section gang, a football field, in an army, or in an office.” - Dwight D. Eisenhower

### Press Relations/Press Releases

#### Interactions with the Media

Recognizing that government business should be transparent to the public, all inquiries from the media (newspapers, television, radio, etc.) should be directed to your designated communications officer, in order to ensure they are answered promptly and accurately.

Because some information may involve confidential personal and/or client service data or be related to ongoing litigation, it is critical that all press inquiries be referred to communications staff within your agency, and Secretariat and/or in the Governor’s Office. Further, any request made under the [state public records law](#) should be forwarded to your designated communications officer and your legal counsel office for response.

*Please check with your manager or appointing authority to see how press inquiries are handled in your agency.*

“Leadership and learning are indispensable to each other.” - John F. Kennedy

### Legislative Requests and Inquiries

The [Manager Code of Conduct](#) (Section 8.09) provides guidance in this area: “All requests or inquiries from legislators or their staffs must be referred to the agency/department head or his or her designee before any action is taken, unless employees are directed to handle such requests otherwise by the agency/department head or his or her designee.”

#### **Additional Information:**

Manager Code of Conduct

<http://www.mass.gov/anf/docs/hrd/policies/files/manager-code-of-conduct.rtf>

**Public Records and  
Freedom of Information Requests**

The Freedom of Information Act (FOIA) is a federal law that pertains to federal records only. The Massachusetts state statute (Public Records Law) is similar in some respects but different in others.

*Each agency has a designated person who serves in the official role of handling public records or FOIA requests. Each agency may have established its own protocol on how these requests are handled internally. If you ever receive a records request from the press, general public, or other entity, please consult the appropriate official for guidance before releasing any information.*

*In August 2007, The Office of the Comptroller and the Human Resources Division issued the Payroll Records Exemption Policy. This policy allows for public records exemptions for victims of adjudicated crimes, domestic violence, sexual assault and rape. Each department is responsible for notifying employees of the availability of the new Public Records Exemption Form.*

The [Manager Code of Conduct](#) (Section 8.03) also provides guidance on this issue: “All requests for public records should be directed to the appointing authority or his or her designee who shall determine whether the requested documents are public records in accordance with [M.G.L. Chapter 4, section 7, clause 26](#).”

Employees must refer all requests for public records to their appointing authority, or a person or office designated by the appointing authority, for response. Employees are not permitted to make decisions on their own as to whether a record is a “public record” as defined by law, unless they are authorized to do so by the appointing authority.”

Please remember we need to balance the need to maintain confidentiality with the obligation

to provide certain types of information to the public.

The information that follows was extracted from the Public Records Guides on the Secretary of State’s website.

The Massachusetts Public Records Law provides that every person has an absolute right of access to public information. This right of access includes the right to inspect, copy or have copies of records provided upon the payment of a reasonable fee.

The Massachusetts General Laws broadly define “public records” to include all documentary materials or data, regardless of physical form or characteristics, which are made or received by any officer or employee of any Massachusetts governmental entity. As a result, all photographs, papers and electronic storage media including electronic mail of which a governmental employee is the “custodian” constitute “public records.”

There are, however, a limited number of narrowly construed exemptions to this broad definition of “public records.” Examples of some records that could be exempt from disclosure under the public records statute include: personnel or medical files and inter-agency or intra-agency documents relating to policy positions being developed by an agency. Home address and home phone numbers of state employees may also be exempt from disclosure except to authorized unions or criminal justice agencies. For specific details on what is exempt please refer to the Secretary of State’s publications noted at the bottom of this section or consult your own agency expert on the issue.

Each custodian shall comply with a public records request as soon as practicable and within ten calendar days. Requests for public records may be oral or written.

**Additional Information:**

Memo on Public Records Exemptions issued 8/28/07 and related Policy document

<http://www.mass.gov/anf/docs/hrd/policies/files/public-record-exemption-policy-memo.doc>

<http://www.mass.gov/anf/docs/hrd/policies/files/payroll-public-exemption.doc>

A Guide to the Massachusetts Public Records Law

<http://www.sec.state.ma.us/pre/prepdf/guide.pdf>

Condensed Guide to Public Records Law

<http://www.sec.state.ma.us/pre/prepdf/pubreclaw.pdf>

M.G.L. Chapter 4, section 7(26)

M.G.L. Chapter 66, section 10(a)

<http://www.mass.gov/legis/laws/mgl/4-7.htm>

<http://www.mass.gov/legis/laws/mgl/66-10.htm>

Manager Code of Conduct

<http://www.mass.gov/anf/docs/hrd/policies/files/manager-code-of-conduct.rtf>

### **Records Retention**

Records need to be retained according to the guidelines published and periodically updated by the Secretary of State.

A state employee may not dispose of any agency records randomly. Retention schedules may be accessed through the Secretary of State's website.

*Please consult with your Director of Administration/Operations for information on how this policy is handled in your agency.*

### **Additional Information:**

Secretary of State Public Records Division website

<http://www.sec.state.ma.us/pre/preidx.htm>

Massachusetts Statewide Records Retention Schedule

<http://www.sec.state.ma.us/arc/arcrmu/rmurds/0707.doc>

### **Expectation of Privacy**

Please be aware that objects and areas in which you may keep personal belongings, including but not limited to desks, filing cabinets, email, telephones, voicemail messages, and lockers, are the property of the Commonwealth and may be accessed by your Employer at any time.

### **Providing Information to a Union**

Please see Section 10: Duty to Furnish Information which provides guidance on this issue. Link: [Duty to furnish](#)

### **Personnel Records**

Confidential or restricted information contained in an official Personnel File may be disclosed only to persons authorized by law for official purposes.

All inquiries for references or employment verification should be directed to your Human Resources office. While there is no official state policy on providing reference information or job verification for current or former employees, please follow the recommendations below. Should you receive an inquiry from another organization requesting a reference please ask the inquirer to fax, email, or mail you a request containing the following:

- The inquirer's name and organization.
- Name of employee.
- The information the inquirer would like to verify.

An employee's job title, job description, dates of employment and salary are considered public information and can be divulged to a third party.

If the inquirer needs more than dates of employment, title, and salary, you may request that the current or former employee sign a waiver of consent form.

Accepting phone calls for references or employment verifications is not

recommended due to the difficulty of confirming the identity of the caller.

In the event an agency chooses to release information when a waiver has been received, please ensure there is adequate documentation in the personnel file to confirm the information that is released.

### **Use of State Resources**

The Commonwealth's Information Technology Resources (ITRs) include computers, printers and other peripherals, programs, data, local and wide area networks, and the Internet. ITRs are the property of the Commonwealth of Massachusetts.

The Executive Office for Administration and Finance (ANF) has issued an Acceptable Use Policy (AUP) governing the use of ITRs owned by ANF agencies. The AUP is a "floor" policy whose minimal provisions are effective in all Executive Department agencies but agencies are free to adopt more restrictive policies regarding ITR use, and some have done so. Under the AUP, use of agency ITRs by any employee or contractor constitutes acceptance of the terms of the AUP and any more restrictive policies adopted by agencies. Users of agency ITRs are responsible for reading the AUP and any additional more restrictive policies adopted by the agency that owns the ITR.

The AUP addresses user responsibility, acceptable and unacceptable uses of ITRs, data confidentiality, copyright protection, computer viruses, network security, and email use. IT also addresses the issue of privacy.

Employees should note that, under the AUP, users (authorized and unauthorized) of the Commonwealth's ITRs have no explicit or implicit expectation of privacy. Under the AUP, agencies retain the right, and when reasonable and in pursuit of legitimate needs for supervision, control, and the efficient and proper operation of the workplace, will exercise, the right, with respect to agency ITRs, to inspect any user's computer, any data

contained in it, and any data sent or received by that computer. Users of agency ITRs should be aware that network administrators, in order to ensure proper network operations, routinely monitor network traffic. Use of agency ITRs constitutes express consent for the agency to monitor and/or inspect any data that users create or receive, any messages they send or receive, and any web sites that they access.

*Please note that sending an email or a fax from a work computer is the equivalent of putting the information on official agency letterhead. Therefore, use caution as emails, faxes, records of phone calls made and received, and Internet sites visited can be considered public information and can be reviewed not only by your agency but also any third party who requests the information. If the information is not job-related, or you would not feel comfortable having your manager or the general public read it, STOP and do not send the information or visit the website. In addition, once you send a fax or an email, you have no control over where the information gets sent or posted, and it could wind up in the local press. Please be prudent.*

### **Additional Information:**

Acceptable Use Policy (AUP)

[http://www.mass.gov/Aitd/docs/policies\\_standards/acceptableuse.pdf](http://www.mass.gov/Aitd/docs/policies_standards/acceptableuse.pdf)

*"Let the public service be a proud and lively career." - John F. Kennedy*

## Section 2: Federal and Statewide Policies, Employment Laws, and Rules

Agencies that are recipients of federal grants may have other requirements under OFCCP (U.S. Office of Federal Contract Compliance Programs)

<http://www.dol.gov/esa/ofccp/index.htm>

Please contact the federal government agency you deal with for additional information.

### Affirmative Action, Diversity and Equal Opportunity

Massachusetts is an Affirmative Action, Equal Opportunity Employer. We have established the Office of Diversity and Equal Opportunity with a mission to carry out the Governor's mandate to ensure practices of non-discrimination and equal opportunity in order to attract, hire, retain and promote a diverse workforce within the Commonwealth. Diversity is covered under [Executive Order 478](#).

Diversity encompasses more than Affirmative Action and EEO programs, which are tools to achieve our goal. Diversity entails creating an inclusive work environment where people of all races, creeds, colors and national origins, individuals with disabilities, women, gays, lesbians, and older persons feel welcomed, valued, and respected. When an agency values the individual differences and viewpoints of its workforce, diversity becomes an organizational strength that gives us a competitive advantage in the marketplace. The more diverse our applicants and employees are, the better able we are to serve the citizens of the Commonwealth.

There are many federal laws and state Executive orders protecting the rights of all individuals.

Each agency has a designated Diversity Officer, a highly placed person who reports directly to the Agency Head. The role of the Diversity Officer is to implement all elements of the agency's Equal Opportunity and

Affirmative Action programs, including the day-to-day responsibilities for its development, coordination and monitoring.

The Diversity Officer also has a role in the hiring process, reviewing the job posting prior to its placement on CEO, reviewing the applicant pool for diversity, and reviewing the process at various stages to ensure the requirements contained in the agency's Affirmative Action Plan have been met, and providing final sign-off on the hiring paperwork.

*It is mandatory that all state employees receive training in diversity. Please work with your agency human resources office to ensure that you and your staff receive this training as soon as practicable.*

### **Additional Information:**

Office of Diversity and Equal Opportunity Website: Visit <http://www.mass.gov/anf> then see "Employment, Equal Access, Disability" then "Diversity, Access, and Opportunity"

[www.mass.gov/hrd/odeo](http://www.mass.gov/hrd/odeo)

Phone: 617-727-7441

### **Americans with Disabilities Act (ADA)**

The Americans with Disabilities Act (ADA) of 1990 was enacted to address the problem of discrimination against individuals with disabilities in areas such as employment, housing, public accommodations, education, transportation, communication, health services and access to public services. The ADA seeks to dispel stereotypes and assumptions about disabilities, and to ensure equal opportunity, full participation, independent living and economic self-sufficiency for disabled people.

A disability is defined in part as having a physical or mental impairment that substantially limits one or more major life activities or being regarded as having such impairment as a result of the attitudes of

others toward such impairment. Under the ADA, employers have a responsibility to provide reasonable accommodations to qualified individuals with disabilities to help them perform the essential functions of a job, as long as such provision does not impose undue hardship on the operation of the program or agency.

*Please consult your ADA Coordinator or human resources office if you have an applicant or employee who has asked for some type of accommodation. If you need an accommodation yourself or have an employee with medical issues that are affected by ADA, please also consult with your HR office for guidance.*

**Additional Information:**

Massachusetts Office on Disability  
[www.mass.gov/mod](http://www.mass.gov/mod)  
Contact information is in Appendix IV

**Campaign and Political Finance**

The Campaign Finance Law ([M.G.L. Chapter 55](#)) does not prohibit public employees from engaging in political activity, as long as such activity: 1) is not undertaken during work hours or otherwise uses public resources, and 2) does not include soliciting or receiving political contributions.

The Campaign Finance Law ([M.G.L. Chapter 55](#)) prohibits all compensated state, county, and municipal employees from:

- Selling tickets to a political fundraiser or otherwise soliciting or collecting contributions in any manner, such as by phone or mail.
- Serving as treasurer of a political committee.
- Allowing the employee's name to be used in a solicitation letter or in fundraising phone calls.
- Helping identify people to be targeted for political fundraising.
- Using public resources for political campaign purposes, such as influencing the nomination or election of a candidate

or the passage or defeat of a ballot question.

*If you have any questions about the appropriateness of your activity or the activities of your staff, please consult the Office of Campaign and Political Finance or the State Ethics Commission (see contact information in Appendix IV) or your agency's legal counsel, or refer to these web sites.*

**Additional Information:**

<http://mass.gov/ocpf>  
<http://www.mass.gov/ethics>

**Conflict of Interest**

The conflict of interest law, [M.G.L. Chapter 268A](#), is intended to prevent, among other things, self-dealing. Section 6 of the conflict of interest law generally prohibits a state employee (paid or unpaid, appointed or elected, full-time or part-time) from participating in any particular matter in which the state employee, an immediate family member, a partner, or a business organization with which the employee has affiliations, has a financial interest.

The Massachusetts conflict of interest law ([M.G.L. Chapter 268A](#)) prohibits **all** state, county, and municipal public employees, **whether compensated or not**, from:

- Using any public resources or facilities, or the state seal or coat of arms, for campaign purposes.
- Engaging in any campaign activities during their normal public working hours.
- (For appointed employees) Soliciting campaign contributions or services, or anything else of substantial value, from subordinate employees, vendors they oversee, or anyone within their regulatory jurisdiction.
- Representing a campaign (or anyone else) in connection with some matter in which the employee's own level of government (state or local) has a direct and substantial interest (unless they are "special

employees” as defined by [M.G.L. Ch 268A, section 1\(o\)](#).

**The following actions are prohibited:**

- Asking for or accepting *anything* (regardless of its value), if it is offered in exchange for your agreeing to perform or not perform an official act
- Asking for or accepting anything worth \$50 or more from anyone with whom you have official dealings; accepting honoraria for a speech that is in any way related to your official duties, unless you are a state legislator
- Hiring, promoting, supervising, or otherwise participating in the employment of your immediate family or your spouse's immediate family
- Taking any type of official action which will affect the financial interests of your immediate family or your spouse's immediate family
- Taking any official action affecting your own financial interest, or the financial interest of a business partner, private employer, or any organization for which you serve as an officer, director or trustee
- In general, having more than one job with the same municipality or county, or more than one job with the state. Exemptions may apply so contact the State Ethics Commission for advice.
- Having a financial interest in a contract with your public employer
- Representing anyone but your public employer in any matter in which your public employer has an interest
- Disclosing confidential information, data or material which you gained or learned as a public employee
- Using public resources for political or private purposes. Examples of "public resources" include: office computers, phones, fax machines, postage machines, copiers, official cars, staff time, sick time, uniforms, and official seals.

**Statement of Financial Interests (SFI)**

Certain public employees (those identified by agencies as key policymakers) are required to file a Statement of Financial Interests form for the preceding calendar year with the State Ethics Commission within thirty days after becoming a public employee, on or before May first of each year thereafter that such person is a public employee and on or before May first of the year after such person ceases to be a public employee; provided, however, that no public employee shall be required to file a statement of financial interests for the year in which he ceased to be a public employee if he served less than thirty days in such year. *Check with your Human Resources office to see if you need to file a SFI. Please ensure that you and your staff are in full compliance of any filing or disclosure requirements. Before you engage in any activity which may violate the Conflict of Interest Laws of the Commonwealth, you should request an opinion from the State Ethics Commission.*

*“Management is doing things right; leadership is doing the right things.” -Peter F. Drucker*

**Additional Information:**

- **Ethics Primer – Code of Conduct**  
<http://www.mass.gov/ethics/education-and-training-resources/info-section-7/primers/state-primers/the-code-of-conduct.html>
- **Ethics Primer – Giving Gifts and Gratuities**  
<http://www.mass.gov/ethics/education-and-training-resources/info-section-7/primers/state-primers/giving-gifts-and-gratuities.html>

- **Nepotism**

<http://www.mass.gov/ethics/education-and-training-resources/info-section-7/advisories/advisory-86-02-nepotism.html>

- **State Ethics Commission,**  
One Ashburton Place, Room 619,  
Boston, MA 02108  
617-371-9500.
- **Office of Campaign and Political Finance** <http://www.mass.gov/ocpf/>

**Domestic Violence, Sexual Assault, and Stalking Policy**

The Commonwealth, under [Executive Order 491](#), has a zero tolerance policy for domestic violence, sexual assault, and stalking including incidents that happen on an employee's own time off state property. The policy defines domestic violence, sexual assault, and stalking leave allowances for victims, disciplinary action for perpetrators, and workplace security measures and training procedures to mitigate the disruptive nature these conditions cause when the consequences affect the workplace.

Each agency establishes its own domestic violence, sexual assault, and stalking policy utilizing HRD's model policy as a guideline.

**Additional Information:**

See [Section 12](#) of this Handbook

Domestic Violence, Sexual Assault, and Stalking in the Workplace Policy  
<http://www.mass.gov/anf/docs/hrd/policies/pr-vention/domestic-violence-sexual-assault.doc>

*It is mandatory that all state managers and employees receive the standardized core curriculum training established by the Human Resources Division in domestic violence, sexual assault and stalking in the workplace.*

*Please work with your agency human resources director to ensure that you and your staff receive this training in a timely way. For a list of faculty trained to deliver this curriculum, or to schedule training for your agency through HRD, please contact HRD at (617) 878-9822*

*If you or one of your employees is involved in a domestic violence, sexual assault, or stalking incident, please contact your human resources office immediately for confidential expert assistance. Your HR office is trained to handle these complex matters in a sensitive way.*

**Drug-Free Workplace Policy**

In a good faith effort to comply with the federal Drug-Free Workplace Act of 1988, the Commonwealth seeks to ensure a safe, healthy, and productive work environment for all employees. Employees of state agencies receiving federal grant funding must accept all of the conditions required by the federal government regarding controlled substances.

*Managers have an obligation to ensure that this policy is adhered to. A drug-free workplace is pivotal to a productive, safe, and healthy work environment. If you suspect that an employee may not be adhering to this policy, please contact your human resources department.*

**Additional Information:**

Office of the Comptroller [www.mass.gov/osc](http://www.mass.gov/osc)  
Annual Memo  
[www.mass.gov/osc/publications-and-reports/legislatively-mandated/legislatively-mandated-reports.html](http://www.mass.gov/osc/publications-and-reports/legislatively-mandated/legislatively-mandated-reports.html)

Annual Certification  
[http://www.mass.gov/Aosc/docs/fy\\_updates/fy08/drugfree\\_2008\\_cert.doc](http://www.mass.gov/Aosc/docs/fy_updates/fy08/drugfree_2008_cert.doc)

Manager Code of Conduct, Section 8.04  
Drugs and Alcohol in the Workplace  
<http://www.mass.gov/anf/docs/hrd/policies/files/manager-code-of-conduct.rtf>

*“Never doubt that a small, group of thoughtful, committed citizens can change the world. Indeed, it is the only thing that ever has.” - Margaret Mead*

**Family Medical Leave Act (FMLA)**

The Family Medical Leave Act (FMLA) is a federal law that grants employees up to 12 weeks (on a consecutive or intermittent basis) of job-protected, unpaid leave during any 12-month period for certain family and medical reasons. Employees on FMLA leave do not

have total job protection as they are subject to layoffs/shift eliminations, etc. as are all employees who are not on active leave. The Commonwealth of Massachusetts provides its employees the same benefit under its “Family Friendly policy” for up to 26 weeks (or 52 weeks) depending on parameters in the Red Book and collective bargaining agreements and up to 12 weeks for military caregiver leave. Please refer to the Red Book and the various Collective Bargaining Agreements to determine the specific benefit available. For ease of reference, leave under both the federal law and the Commonwealth’s “Family Friendly” policy shall be referred to as “Enhanced FMLA leave.” An employee may be eligible to take FMLA leave for the following reasons:

- for the birth and care of a newborn child of the employee;
- for the placement for adoption or foster care of a child with the employee;
- to care for an immediate family member (spouse, child, or parent) of the employee with a serious health condition; or
- for the employee’s own serious health condition.
- Serious illness or injury of the employee’s spouse, son, daughter, parent, or “next of kin” if the illness or injury was incurred during active military duty (known as **Military Caregiver Leave**).
- **12 weeks** of unpaid leave for certain qualifying situations arising out of a spouse, son, daughter, or parent of the employee being called for active duty in the Armed Forces. This is called **Military Exigency Leave**.

The Commonwealth also permits its employees to take up to 10 weeks of unpaid leave to care for other family members who would not otherwise qualify under FMLA leave. This non-FMLA leave benefit permits an employee to take time off to care for or

make arrangements for the care of a grandparent, grandchild, sibling living in the same household, or child (whether or not that child is the natural, adoptive, foster, stepchild or child under the legal guardianship of the employee).

An employee may not take more than 26 (or 52) weeks of combined FMLA and non-FMLA leave in the 12-month period. Some union contracts require an agency to grant a once-in-a-lifetime FMLA extension up to 26 weeks in the case of “catastrophic illness.” The 12-month period is measured on a rolling basis (i.e., measured backwards from the date of commencement of the leave.)

An employee requesting FMLA leave must provide his or her employer with at least 30 days advance notice before the FMLA leave is to begin if the need for the leave is foreseeable. If 30 days notice is not possible, then the employee must give notice as soon as practicable.

An employee requesting non-FMLA leave must provide his or her employer with at least two (2) weeks advance notice of his or her anticipated date of departure and of his or her intended return to work date. Employer may decide to count absences towards FMLA, even if the employee has not specifically requested FMLA leave.

As a general rule, it is in the employer’s best interest to designate leave as FMLA leave as soon as the employer has acquired knowledge that the leave is being taken for an FMLA required reason. The appointing authority may require the employee to provide satisfactory medical documentation in connection with his or her leave (FMLA or non-FMLA).

**Additional information:**

- [Red Book](http://www.mass.gov/anf/docs/hrd/policies/publications/pol-redbk.rtf)  
<http://www.mass.gov/anf/docs/hrd/policies/publications/pol-redbk.rtf>
- Collective bargaining agreements

- FMLA Guide for Employees  
<http://www.mass.gov/anf/docs/hrd/policies/fmla/guide-employees.doc>

### **Indemnification**

Certain public employees **may** be indemnified from personal loss or expense up to one million dollars (including legal fees and costs) arising out of any claims, actions, awards, settlements, or judgments involving an intentional tort or a violation of another person's civil rights under state or federal law, as long as such employee was acting within the scope of his or her employment at the time.

Indemnification will not be granted if the employee has acted in a grossly negligent, willful, or malicious manner. With few exceptions, if a public employee is sued in his or her official capacity or for actions related to his or her official duties, the employee will be represented by the Attorney General's Office.

### **Additional information:**

- [M.G.L. Chapter 258](#)
- [M.G.L. Chapter 12](#)
- Other sections of the M.G.L. which speak to indemnification in connection with your specific agency and/or position.

*All issues regarding indemnification should be directed to your agency counsel, who can determine if the situation is covered by an indemnification statute(s).*

### **Sexual Harassment Policy**

*It is mandatory that all state employees receive training in sexual harassment prevention. Please work with your agency human resources director to ensure that you and your staff receive this training as soon as practicable.*

*If you become aware of any actions that could be deemed sexual harassment, it is your duty to immediately report this activity*

*to your human resources office or Sexual Harassment Officer.*

**Managers** have the duty to prevent and eliminate sexual harassment in the work place. Conduct constituting prohibited sexual harassment includes unwelcome sexual advances, requests for sexual favors and other verbal or physical behavior when:

- submission to such conduct is explicitly or implicitly made a term or condition of an individual's employment;
- submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individuals; or
- such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or of creating an intimidating, hostile, or offensive working environment.

### **Patterns of Sexual Harassment**

Sexual harassment appears in a variety of forms and is not limited to conduct by a male toward a female or by a supervisor toward a subordinate. Men as well as women may be victims, and the victim need not be the opposite sex from the harasser. A victim may even be someone other than the person at whom the unwelcome act is directed. Sexual harassment may exist without the effect of concrete economic injury when such conduct interferes with the victim's work or creates a harmful or offensive work environment.

### **Managerial Responsibility**

The Commonwealth is legally responsible for acts of sexual harassment by its agents, supervisors, and employees unless it can be shown that immediate and appropriate corrective action was taken when such actions became known. Additionally, the Commonwealth may be responsible for acts of sexual harassment by non-employees within its control. **Agency heads, managers and supervisory staff are responsible for:**

- providing each employee with a copy of the Commonwealth's policy on sexual harassment;
- informing employees that sexual harassment is prohibited conduct which is not to be tolerated or condoned and will result in disciplinary action;
- developing and implementing procedures for receiving, investigating, and resolving informal complaints or reports of alleged sexual harassment within their respective offices, and informing their employees of these procedures;
- advising employees of the sanctions imposed for engaging in sexual harassment, and of their right to complain about harassment to the agency head or her /his designee;
- informing employees that it is advisable to report, in a timely fashion, conduct which they believe to be sexual harassment; and
- informing the agency head or the agency sexual harassment officer immediately upon receiving notice of an allegation.

The **agency sexual harassment officer** is responsible for taking appropriate action to investigate the allegation. The agency head will be responsible for taking immediate and appropriate corrective action, including disciplinary actions, with respect to employees engaging in such prohibited behavior.

### **Employee Harassment**

**Each employee** of the Commonwealth is personally responsible for:

- ensuring that her/his conduct does not sexually harass any other employee, applicant for employment, or other individual in the workplace;
- cooperating in the investigation of informal reporting or formal complaints of alleged sexual harassment by providing any

information she/he possesses concerning the matters being investigated; and

- otherwise cooperating with the Commonwealth's efforts to prevent and eliminate sexual harassment and to maintain a working environment free from such unlawful conduct.

### **Sanctions**

Any employee found to have engaged in sexual harassment in violation of this policy is subject to disciplinary action up to and including termination of employment.

### **Additional Information:**

- See your agency-specific policy
- Title VII of the Federal Civil Rights Act of 1964
- M.G.L. Chapter 151B, as inserted by Chapter 278 of the Acts of 1996  
<http://www.mass.gov/legis/laws/mgl/g1-151b-toc.htm>
- Executive Orders 398 and 442  
<http://www.lawlib.state.ma.us/source/mas/eo/eotext/EO398.txt>  
<http://www.lawlib.state.ma.us/source/mas/eo/eotext/EO442.txt>
- Memo on Sexual Harassment Policy 4/05  
<http://www.mass.gov/anf/docs/hrd/policies/files/sexhar-wk-dom-vio.doc>
- Sexual Harassment Policy  
<http://www.mass.gov/anf/docs/hrd/policies/files/pol-sexhar-pol.rtf>

### **Sunshine Policy**

The Sunshine Policy was devised and implemented to ensure that the citizens of the Commonwealth have full confidence in their government and its hiring process. Under this policy all Executive Branch candidates who are hired into positions on or after January 9, 2003 are asked to complete a disclosure form listing any members of their immediate family and those who are related through marriage with an immediate family member who are working for the Commonwealth.

## *Manager Handbook*

Any employees hired prior to January 9, 2003 are not required to disclose this information. This disclosure is not used to exclude any qualified candidates.

### **Additional Information:**

- <http://www.mass.gov/anf/docs/hrd/policies/files/sunshine-pol-memo.doc>
- Executive Order 444  
<http://www.lawlib.state.ma.us/source/mass/eo/eotext/EO444.txt>

*When considering hiring any employees, you should be working closely with your human resources office for guidance on a number of recruitment issues including how to handle the Sunshine Policy.*

*All applicants are required to complete the Commonwealth Standard Employment Application which contains the Sunshine Policy. A resume is not a substitute for a completed Employment Application.*

### **Workplace Violence Policy**

In accordance with [Executive Order 442](#), the Commonwealth has a zero-tolerance policy for workplace violence. The purpose of the Workplace Violence Policy is to prevent and minimize the risks associated with workplace violence and to ensure that the Commonwealth's employees, contractual staff, and volunteers work in an atmosphere free from such violence.

Each agency is responsible for issuing its own workplace violence policy modeled after the statewide policy.

*It is mandatory that all state employees receive training in workplace violence. Please work with your agency human resources director to ensure that you and your staff receive this training as soon as practicable. The Human Resources Division's Director of Workplace and Domestic Violence Prevention is available to assist agencies with policy and training development and delivery. To schedule*

January 7, 2015

*training for your agency through HRD, please contact Imad Sandakly at (617) 878-9821*

*If you or one of your employees is aware of a workplace violence incident or actions that may lead to workplace violence, you are responsible for immediately contacting your human resources office for confidential expert assistance. Your HR office is trained to handle these complex matters in a proactive way.*

### **Additional Information:**

Executive Order 442

<http://www.lawlib.state.ma.us/source/mass/eo/eotext/EO442.txt>

Bureau of State Office Buildings website

Visit <http://www.mass.gov/bsb>

Security, Safety, & Parking

Massachusetts State House

<http://www.mass.gov/anf/property-mgmt-and-construction/facilities-mgmt-and-maintenance/state-office-bldgs/state-house/security-safe-and-parking/>

John W. McCormack Building

<http://www.mass.gov/anf/property-mgmt-and-construction/facilities-mgmt-and-maintenance/state-office-bldgs/mccormack-bldg/security-safety-and-park/>

### **Safety/Emergency Preparedness**

Each agency should have procedures in place in case of a medical, fire, building, public safety, or inclement weather emergency. Each agency should have a planned escape route and designated meeting place in case of building evacuation. Agencies located in state office buildings in downtown Boston may have an "Evacuation Team Leader" who has been designated to be in charge of these issues.

In the case of an official state of emergency declared by the Governor, there will be announcements on local television and radio stations about whether state offices will be open and whether critical selected personnel (e.g. public safety and health care staff) need to report to work.

Please consult your manager to see what procedures are in place at your agency and whether your services would generally be required during a state of emergency.

COOP/COG or the Continuity of Operations Plan/Continuity of Government is a plan to ensure that essential government services are not interrupted in the event of an extended emergency, such as an influenza pandemic. A COOP identifies essential services, agency leads, delegations of authority and other key pieces of information critical to the maintenance of services during an extended emergency. Each agency has a written COOP/COG plan that includes an addendum that outlines key HR policies in the event of a declared COOP/COG emergency.

**Additional Information:**

**Emergency Office Closing Memo 2/14/07**

[http://www.hrd.state.ma.us/agency\\_services/AS\\_Manage\\_Workforce/Emergency\\_Staffing/Emergency\\_Office\\_Closings.doc](http://www.hrd.state.ma.us/agency_services/AS_Manage_Workforce/Emergency_Staffing/Emergency_Office_Closings.doc)

**Emergency Staffing Memo 4/7/08**

[http://www.hrd.state.ma.us/agency\\_services/AS\\_Manage\\_Workforce/Emergency\\_Staffing/emergency\\_notification\\_procedures.doc](http://www.hrd.state.ma.us/agency_services/AS_Manage_Workforce/Emergency_Staffing/emergency_notification_procedures.doc)

**Bureau of State Office Buildings**

**Emergency Information website**

Visit <http://www.mass.gov/anf> then Property Management & Construction > Facilities Management & Maintenance > State Office Buildings > Massachusetts State House > Security, Safety, & Parking >

- Emergency phone numbers
- How to handle bomb threats
- Tips on preventing workplace violence

- Emergency and evacuation instructions for:
  - The State House
  - McCormack Building
  - Lindemann/ Hurley Building
  - Springfield State Office Building

### Section 3: Budget

“There is no passion to be found in playing small – in settling for a life that is less than what you are capable of living”  
- Nelson Mandela

“My creed is that public service must be more than doing a job efficiently and honestly. It must be a complete dedication to the people and to the nation with full recognition that every human being is entitled to courtesy and consideration, that constructive criticism is not only to be expected but sought, that smears are not only to be expected but fought, that honor is to be earned, not bought.”  
- Margaret Chase Smith

“Outstanding leaders go out of their way to boost the self-esteem of their personnel. If people believe in themselves, it's amazing what they can accomplish.”  
- Sam Walton

“A leader takes people where they want to go. A great leader takes people where they don't necessarily want to go, but ought to be.”  
- Rosalynn Carter

*Please consult with your agency's Chief Fiscal Officer (CFO) if you have any questions on budgets, expenses, signing official documents, and negotiating or signing contracts.*

#### **State Finance Law**

All departments must comply with M.G.L. Chapters [29](#) and [7A](#), which govern state finances. The Office of the Comptroller's laws, regulations, policies and procedures ensure that departments conduct all fiscal business in accordance with state finance law.

State finance law requires that funding be in place before goods, services or other obligations can be requested or accepted from contractors, vendors or employees. Each agency has a designated Chief Fiscal Officer who can provide you with guidance to ensure that you understand your role and level of authorization in making any fiscal decision, or any decision that may have a fiscal obligation. In addition, policies, forms and other guidelines are published on the Comptroller's website. All managers are responsible for reviewing these materials and ensuring compliance, for themselves and any staff whom they manage.

#### **Budgetary Process**

The Governor's budget is traditionally called “House 1” (H.1) but in the second year of the Legislative session, the budget is called “House 2” (H.2).

Massachusetts government is funded on a fiscal year basis. The fiscal year runs from July 1 through June 30.

A graphic illustrating the budget cycle can be found at the following website:

<http://www.mass.gov/anf/research-and-tech/legal-and-legislative-resources/malawmaking-proc/budget-process.html>

#### **Additional Information:**

Executive Office for Administration and Finance website <http://www.mass.gov/anf/>



The graphic on the following two pages can be found at:  
[www.mass.gov/budget](http://www.mass.gov/budget)

### Overview of the budget process

#### Fiscal Year budget documents

#### Budget-writing steps

Governor's Budget  
January

The budget begins as a bill that the Governor submits in January (or February if at the start of a new term) to the House of Representatives.



House Ways & Means Budget  
April

The House Ways and Means Committee reviews this budget and then develops its own recommendation.



House Budget  
April

Once debated, amended and voted on by the full House, it becomes the House budget bill.



Senate Ways & Means Budget

At this point, the House passes its bill to the Senate. The Senate Ways & Means Committee reviews that bill and develops its own recommendation.



Senate Budget

Once debated, amended and voted on, it becomes the Senate's budget bill.



Conference Committee Budget

House and Senate leadership then assign members to a joint "conference committee" to negotiate the differences between the House and Senate bills. Once that work is completed, the conference committee returns its bill to the House for a vote. If the House makes any changes to the bill, it must return the bill to the conference committee to be renegotiated. Once approved by the House, the budget passes to the Senate, which then votes its approval.



**Veto**

From there, the Senate passes the bill to the Governor who has ten days to review and approve it, or make vetoes or reductions. The Governor may approve or veto the entire budget, or may veto or reduce certain line items or sections, but may not add anything.



**Overrides**

The House and Senate may vote to override the Governor's vetoes. Overrides require a two-thirds majority in each chamber.



**Final Budget**

The final budget is also known as the General Appropriations Act or "Chapter [#] of the Acts of yyyy."

“Effective leadership is not about making speeches or being liked; leadership is defined by results not attributes.”

- Peter Drucker

“The day soldiers stop bringing you their problems is the day you have stopped leading them. They have either lost confidence that you can help them or concluded that you do not care. Either case is a failure of leadership.”

- Colin Powell

## Section 4: Purchasing and Procurement

*Please consult with your agency's Chief Fiscal Officer (CFO) or Procurement Officer for guidance before taking any action on purchasing, procurement, car rental, or disposal of any state property.*

### **Comm-PASS: Commonwealth Procurement Access and Solicitation System**

Comm-PASS is the Commonwealth's electronic Procurement system that provides buyers with online procurement services from the issuance of solicitations to contract management. It also provides free access to vendors interested in doing business with the Commonwealth. For vendors who are interested in value added features such as: email notifications of upcoming solicitations, business directory listing, customized desktop and online bid response capability. (There is a subscription service, SmartBid, available for an annual fee).

#### **Additional Information:**

- <http://www.comm-pass.com>
- Comm-PASS Helpdesk
  - Phone: 617-720-3197
  - Email: [comm-pass@osd.state.ma.us](mailto:comm-pass@osd.state.ma.us)

### **Procurement of Goods and Services**

There are several statutes that apply to the procurement of goods and services in the Commonwealth:

- [M.G.L. Ch. 7, section 22](#) and [M.G.L. Chapter 30, sections 51](#) and [52](#) authorize the Operational Services Division (OSD), as the Commonwealth's central procurement office, to establish the policies and procedures for Executive Department procurements and to competitively bid and establish statewide contracts. These contracts must be used by

Executive Departments but are also available to all public purchasers, including non-executive departments (Judicial and Legislative branches, Independent Authorities, Constitutional Offices, etc.) and cities and towns.

- [M.G.L. Chapter 30B](#) applies to cities and towns and county entities of the Commonwealth. OSD has no oversight authority over this statute or these entities. Cities and towns frequently purchase off statewide contracts because it saves them time and money based on the Commonwealth's volume purchasing power.
- The University of Massachusetts and the Commonwealth's State Colleges and Community Colleges have statutory authority with regard to procurements up to certain dollar thresholds and for the purchase of library books, periodicals, educational supplies and other commodities and services without dollar threshold limitations. See [M.G.L. Ch. 75, section 13](#), [M.G.L. Chapter 73, section 15](#), [M.G.L. Chapter 15A, section 24](#) and [24A](#). Beyond that, all of their purchases fall under OSD's procurement statutes.

The Request For Response (RFR) is the document used by all Executive Branch Departments to conduct a procurement process and communicate contract performance specifications to all potential bidders. An RFR is also known as a "solicitation" or "procurement," and these terms are used interchangeably throughout the procurement process. An online resource, the Procurement Information Center (PIC), is a one-stop resource to better understand the Commonwealth procurement process and requirements.

**Procurement Information Center**

The Procurement Information Center (PIC) is a set of companion documents to the Commonwealth’s procurement regulation, [801 CMR 21.00, Procurement of Commodities and Services, Including Human and Social Services](#). The PIC provides comprehensive guidance to departments on what is required when conducting public procurements, managing contracts and recommended best practices for consideration.

**Additional Information:**  
OSD web site at [www.mass.gov/osd](http://www.mass.gov/osd)

**A special note:** The procurement process, which includes drafting a RFR is not necessary if the commodity or service is available on an existing statewide contract (which must be used by all Executive departments) and by those other departments who have elected to follow procurement regulations 801 CMR 21.00.  
<http://www.mass.gov/Aosd/docs/policy/801cmr21.doc>

Executive Branch departments are required to use statewide contracts if the commodities and/or services they are seeking are available on an existing statewide contract.

**There are three types of procurements:**

Type	Definition	Utilization
Small Procurements	The total procurement value must be less than or equal to \$50,000 and is not on statewide contract.	There are two ways to issue a small procurement: (1) you must request 3 quotes (one of which must be to a SOMBWA certified vendor) or (2) post on Comm-PASS.
Large Procurements	A large procurement is valued at over \$50,000, not on statewide contract and must be advertised using the Comm-PASS system.	Statewide contracts are conducted and managed by OSD. There are 4 other types of large procurements: 1) Statewide contracts designated by OSD to a department to manage are open to all eligible entities 2) Single department procurements restricted to use by the issuing department; 3) Single department procurements available only to specified or limited departments 4) Single department procurement available to other departments with execution of separate contracts.
Incidental Purchase	Also known as a “Procurement Exception” this is defined as a one-time non-recurring, unanticipated need for commodities and services with a total value of up to \$5,000.	Incidental purchases are designed to assist departments in expediting simple purchases, while reducing the administrative burden and associated paperwork of purchasing small dollar items. Getting quotes for this type of procurement is not required.

**Quality Assurance, Training, and Outreach**

**Quality Assurance**

The purpose of OSD’s Quality Assurance Unit is to assist departments in achieving and maintaining compliance with procurement policies and procedures and monitor departments’ procurement practices on a routine basis. To accomplish this Quality Assurance, Compliance Officers conduct routine reviews/assessments with departments throughout the year.

**Procurement Training**

The Quality Assurance Unit provides a variety of training sessions to support a department’s ability to understand the Commonwealth’s procurement laws, regulations, policies and procedures, the use of our e-Procurement system (Comm-PASS) as well as other procurement related topics, including:

- How to use statewide contracts
- Introduction to the RFR Process
- RFR Workshop
- Evaluation Criteria
- Procurement Information Center (PIC) Overview
- Procurement: The Basics
- Procurement Exceptions
- Comm-PASS Administrator Training
- Comm-PASS User Training
- Customized On-site Training (providing resources are available)

**Marketing and Outreach**

The Quality Assurance Unit also manages marketing and outreach initiatives requested by Commonwealth public and quasi-public entities, including municipalities and eligible not-for-profit agencies. Information on statewide contracts, training opportunities, and the Commonwealth’s e-Procurement system, Comm-PASS, is available upon request.

**Additional Information:**

[www.mass.gov/osd](http://www.mass.gov/osd)

**Affirmative Market Program (AMP)**

The Affirmative Market Program (AMP) was established as a result of Executive Order 390, to promote equality in the state contracting market by ensuring full participation of minority and women owned businesses in all areas of state contracting including construction, design, goods and services.

Executive Branch agencies are required to incorporate AMP objectives for all procurements regardless of size. AMP mandates include language that all bidders for large and statewide contracts must submit AMP Plans with their bids outlining specific commitments with certified vendors such as subcontracting, ancillary or growth and development partnerships. AMP ensures compliance of subcontractor commitments and tracks spending with subcontractors. These requirements also reflect compliance of [Executive Order 478](#), section 5.

AMP focuses its work on the businesses that have been certified as Minority (MBE) and/or Women-owned (WBE) Business Enterprises by the State Office of Minority and Women Business Assistance (SOMWBA). Although SOMWBA is a Massachusetts state department, it does not limit its certification services only to businesses located in Massachusetts. In fact, many companies located outside of the state’s borders have been certified to obtain market advantage in the Commonwealth.

**Additional Information:** FIX

Executive Order 478

<http://www.lawlib.state.ma.us/source/mass/eo/eotext/EO478.pdf>

Executive Order 390

<http://www.lawlib.state.ma.us/source/mass/eo/eotext/EO390.txt>

**Environmentally Preferable Products (EPP)**

The Environmentally Preferable Products (EPP) Procurement Program of the Commonwealth of Massachusetts is administered by the Operational Services Division with the support of the Executive Office of Administration and Finance, Executive Office of Energy and Environmental Affairs (EEA), and the Department of Environmental Protection (DEP).

The statewide contracts established by OSD under this program designate products and services with minimum specifications for recycled content, energy efficiency, water conservation, toxic use reduction and waste prevention. Cost savings of EPPs are most often measured through lower purchase price, operations and maintenance costs (including energy and water savings) and/or reduced disposal fees.

The list of designated EPPs is updated periodically by OSD, in cooperation with EOE and DEP.

**Additional Information:**

[www.mass.gov/epp](http://www.mass.gov/epp)

**Commonwealth Rent-A-Car**

The Operational Services Division/Office of Vehicle Management has a contract for Short-Term Rental of Various Light Duty Vehicles. You will be able to reserve your vehicle(s) over the Internet at the address below.

This contract is available to all departments of the Commonwealth, including constitutional offices, the legislature and judiciary, cities, towns, counties, political subdivisions of the Commonwealth, including schools, commissions, institutions of higher education and quasi-public agencies. Each agency is directly billed for the use of the vehicle.

The categories of vehicles are Compacts, Intermediate Sedans, Intermediate Wagons, Standard Sedans, Mini-Vans, 12 Passenger Vans and Alternative Fuel vehicles (Toyota

Prius). You are encouraged to reserve the most economical vehicle available.

**Additional Information:**

[www.mass.gov/osd](http://www.mass.gov/osd).

<http://www.mass.gov/Aosd/docs/ovm/terms.doc>

**Surplus Property Program**

The Surplus Property Program (SSP), which is administered by the Operational Services Division, maximizes the benefits from all property purchased by the state's departments through the oversight, transfer and disposal of surplus personal property. With the exclusion of land and buildings, departments must periodically assess their inventories of equipment, supplies, and materials. Surplus property includes, but is not limited to, office equipment and furniture, clothing, vehicles, and building materials that exceed departmental need.

The State Surplus Property Office:

- Ensures departmental compliance with surplus property declarations (Form OSD 25).
- Unilaterally declares surplus status for non-compliant departments.
- Oversees and authorizes the distribution, transfer and disposal of surplus property.
- Reviews condition codes of surplus property assigned by departments.
- Notifies eligible entities of surplus availability.
- Grants departments' waiver of surplus policies on a case-by-case basis.
- Maintains surplus property records.
- Acts as the receiving agent for Federal Surplus Property.

**Additional Information:**

[www.mass.gov/osd](http://www.mass.gov/osd)

## Section 5: Employee Responsibilities

*Please consult your agency human resources office for all questions regarding timesheets, attendance, leaves of absence, absenteeism, tardiness, overtime, compensatory time, flextime and alternative work options such as compressed work weeks and telecommuting, employment-at-will, and the codes of conduct.*

### **Time and Attendance**

The Human Resources Division (HRD) has the authority to issue or negotiate policies governing the tracking of employee time and attendance. Executive Branch agencies must follow these policies to ensure compliance with federal and state laws, regulations, policies and the Human Resources/ Compensation Management System (HR/CMS) standards. (HR/CMS is the application used to process all payroll and personnel transactions.) Executive Branch employees, including cabinet secretaries, division directors, and agency heads, must maintain daily time and attendance records, including an appropriate accounting for leave utilized.

The official time and attendance record consists of (1) an employee's confirmation of his/her daily time, (2) his/her supervisor's approval and (3) its entry in HR/CMS.

Total hours worked and leave used by every employee must be reported in HR/CMS every pay period (not necessarily updated on a daily basis; updating daily records at one time each pay period is acceptable). The record of daily time of arrival, departure, lunch periods, etc. may continue to be maintained separately in paper or electronic form. Falsification of time sheets by an employee or their supervisor/ manager may be grounds for discipline up to and including immediate termination.

Breaks, and meal times are governed by the collective bargaining agreements. Massachusetts law requires that employees receive a thirty minute unpaid meal break after six hours of working. Some employees may be free to leave the workplace during the break. ([M.G.L. Chapter 149, section 100](#)).

Generally, the collective bargaining agreements require that an employer make every effort to pay overtime in the pay period it was worked. Overtime should be reported in the same pay period that it issued and earned. Failure to pay overtime in a timely manner may be a violation of the Fair Labor Standards Act (FLSA). If overtime is reported late, it must be entered into HR/CMS and paid in the following pay period.

The information above is only a basic summary; please read the following documents for further critical details.

### **Additional Information:**

- HRD's time and attendance policy <http://www.mass.gov/anf/docs/hrd/policies/files/time-attendance-policy.doc>
- The Red Book "Rules Governing Paid Leave and Other Benefits for Managers and Confidential Employees" <http://www.mass.gov/anf/docs/hrd/policies/publications/pol-redbk.rtf>
- Collective bargaining agreement(s) covering union employees; links are in [Appendix VI](#)
- FLSA Guide [http://www.hrd.state.ma.us/agency\\_services/AS\\_Manage\\_Workforce/Rules\\_and\\_Guidelines/flsa.pdf](http://www.hrd.state.ma.us/agency_services/AS_Manage_Workforce/Rules_and_Guidelines/flsa.pdf)
- M.G.L. Chapter 149, section 100 regarding meal breaks <http://www.mass.gov/legis/laws/mgl/149-100.htm>

**Fair Labor Standards Act, Overtime, and Compensatory Time**

The Fair Labor Standards Act (FLSA) is a federal law establishing minimum wage, overtime pay, recordkeeping, and child labor standards affecting full-time and part-time employees, including employees of state governments. In general, the FLSA requires that employees be paid at least a specified minimum wage for each hour worked and that employees who work more than a stated number of hours in a work week receive overtime compensation equivalent to at least one and one-half times their regular rate of pay for the additional hours.

Compensatory time in lieu of overtime will not be allowed for managers. Managers' overtime is governed by the Red Book and the provisions of the federal Fair Labor Standards Act (FLSA) where applicable.

**M1 – M4:** Managers in grades 1-4 (I-IV) are eligible for overtime upon the written approval of the Appointing Authority and the Cabinet Secretary, where applicable.

**M5-M8:** Managers in grades 5-8 (M-V to M VIII) are not eligible for overtime unless the position has received prior approval for overtime compensation by the Chief Human Resources Officer and the Secretary of Administration and Finance.

**M9-M12:** Managers in grades 9-12 (IX- XII) and Unclassified Employees are not eligible for overtime.

For the most part, you will not have to address specific FLSA issues as wages and overtime compensation policies have already been established through collective bargaining agreements, statutes, and/or the statewide policies.

Violations of FLSA may result in your agency being subject to penalties and fines so please exercise caution and involve human resources immediately if you have any questions or concerns in this area.

**Additional Information:**

Red Book Section 10

<http://www.mass.gov/anf/docs/hrd/policies/publications/pol-redbk.rtf>

Fair Labor Standards Act (FLSA) Guidelines

[http://www.hrd.state.ma.us/agency\\_services/AS\\_Manage\\_Workforce/Rules and Guidelines/flsa.pdf](http://www.hrd.state.ma.us/agency_services/AS_Manage_Workforce/Rules_and_Guidelines/flsa.pdf)

U.S. Department of Labor website

[www.dol.gov](http://www.dol.gov)

**Flextime**

The Alternative Work Options Program (AWO) was established to allow state employees greater flexibility in their work schedules. The program encompasses various scheduling strategies designed to enable employees to balance their personal and work responsibilities more easily. The options include:

- Part-time work
- Job sharing
- Flextime
- Staggered work hours
- Telecommuting
- Intermittent employment
- Seasonal employment

Alternative Work Options may be appropriate for employees with young children or elders needing daily care, employees who are also students, employees with disabilities, and workers who are making a gradual transition to retirement, among others.

Please consult your agency human resources office to see which of the alternative work options are available at your agency. Your agency may have its own flextime policy or telecommuting policy that must be approved by HRD and negotiated with the applicable unions before implementation.

**Additional Information:**

**Alternative Work Options website**

Visit <http://www.mass.gov/anf> then Home > Employment, Equal Access, Disability > HR Policies > Alternative Work Options  
<http://www.mass.gov/anf/employment-equal-access-disability/hr-policies/alt-work-options/>

**Memo on AWO**

<http://www.mass.gov/anf/docs/hrd/policies/files/pol-altwkmemo.doc>

**Telecommuting**

<http://www.mass.gov/anf/docs/hrd/policies/alt-work-options/telecomm-policy.rtf>

**Sick leave policies/enforcement**

Proper administration of sick time can be challenging because sick leave is a conditional benefit, and it may only be used under certain circumstances. Full time employees shall accrue sick leave credits not to exceed 15 working days for each year of service (1.25 days/month). Part time employment will result in accrual of this benefit prorated accordingly. Sick leave credit will begin to accrue at once for employees starting work on the first workday of a calendar month. If you experience time off the payroll without pay, your sick leave accrual may be affected. For specific circumstances, conditions and/or limitations of this benefit please refer to the resources listed at the end of this section.

All employees must notify the appropriate manager or their designee of a pending absence in accordance with the policies included references noted below. Failure to follow notification protocols may result in a full reduction in pay for time away from the workplace and/or the imposition of disciplinary action. The sick leave policies vary in the Red Book and each union contract but some include provisions that allow employer to require the employee to submit a satisfactory medical note if the employer suspects sick leave abuse, thinks the

employee may be unfit for duty, or if the employee is absent for longer than a certain amount of time, 5 days for example. Consult the applicable policy for specific guidance on the employee involved.

Upon an employee's retirement (or upon their death) the employee (or estate) will receive 20% of the value of their current sick leave balance.

**Additional Information:**

- Red Book "Rules Governing Paid Leave and Other Benefits for Managers and Confidential Employees"  
<http://www.mass.gov/anf/docs/hrd/policies/publications/pol-redbk.rtf>
- Applicable collective bargaining agreement  
Links can be found in [Appendix VI](#)

**Code of Conduct**

All managers and employees covered by a Code of Conduct are required to read the Code and sign the receipt form within ten days, attesting that they have a responsibility to read and comply with the provisions of the Code. Some state departments have their own agency handbook as well that governs the behavior of their employees.

**Managers and Confidential Employees**

Respecting and honoring the public trust placed in those who work in state government is an issue of paramount importance. In order to ensure that you are cognizant of your obligations and have full understanding of the implications of your actions and/or omissions, the Executive Office for Administration and Finance has issued a [Code of Conduct for Managers and Non-Union employees](#).

The Code covers topics such as:

- Conflict of interest

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- Outside employment and business activity
- Public records
- Legislative requests
- Political activities
- Drug and alcohol use
- Weapons
- Department ID cards and badges

### Bargaining unit employees

Collective bargaining contracts also contain codes of conduct similar to that of managers/confidential employees, which include additional issues that are important to individuals in these professions and have been negotiated with the unions.

#### Additional Information:

Code for Managers and Confidential employees

<http://www.mass.gov/anf/docs/hrd/policies/files/manager-code-of-conduct.rtf>

Employees covered by a Collective Bargaining Agreement:

Links to contracts can be found in [Appendix VI](#); or go to [www.hrd.state.ma.us](http://www.hrd.state.ma.us) then click on “Manage Workforce” then “Rules and Guidelines” then “Collective Bargaining” link.

### Employment-at-Will for Managers

Unless a state manager has permanent status pursuant to [M.G.L. Chapter 31](#), his/her employment with the Commonwealth of Massachusetts is considered to be “at will.” As an employee at will, a state manager may terminate his/her employment with the Commonwealth whenever he/she wishes. The Commonwealth may terminate a state manager at any time and for any reason (or for no reason), so long as the termination isn’t unlawful or discriminatory (e.g., based on age, sex, national origin, disability).

There is also a “public policy” exception to the at-will doctrine. A state manager may not be terminated for:

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- Refusing to perform an act that state law prohibits
- Reporting a violation of the law (whistleblower)
- Engaging in acts that public policy encourages (for example, not allowing leave for National Guard activities)
- Exercising a statutory right (for example, firing an injured worker who files a claim under the state worker's compensation law)

#### Additional Information:

<http://www.mass.gov/anf/docs/hrd/ceo/forms/ceo-empappl.doc>

“We are all meant to shine.”  
- Nelson Mandela

“There are two ways of spreading the light: to be the candle or the mirror that reflects it.”  
- Edith Wharton

“Be the change you want to see in the world.”  
- Ghandi

“Most of us are greater than we are to believe”  
- Pablo Casals

## Section 6: Management Benefits and Salary Administration Policies

*Please consult your agency human resources office for assistance in interpreting and applying the rules in the Red Book and Gray Book (for managers and in some cases confidential employees) and union contracts (for bargaining unit employees).*

### **Red Book**

#### **Rules Governing Paid Leave and Other Benefits for Managers and Confidential Employees**

These rules regulate the awarding of vacation leave, sick leave, other leave with pay; overtime compensation; payments in lieu of any of the preceding; reimbursement for meals and transportation for persons traveling in-state and out-of-state; charges to state employees; prevention of accidents and occupational diseases; and other miscellaneous benefits.

These rules apply to all employees employed in the Executive Branch of the Commonwealth whose positions are classified by the Chief Human Resources Officer in accordance with [M.G.L. Chapter 30, section 45](#), and who are in positions not covered by collective bargaining agreements based upon [M.G.L. Chapter 150E](#).

The rules concerning meal reimbursement while traveling on state business apply to all persons employed by offices, departments, boards, commissions and other agencies receiving state appropriations, as stated in [M.G.L. Chapter 7, section 28](#).

The Human Resources Division regularly reviews the adequacy of the Red Book benefits by conducting surveys and other studies. By law ([M.G.L. Chapter 7, section 28](#)), the Human Resources Division is required to post a notice at all agencies of any proposed changes to the Red Book, at least thirty days prior to the effective date of such

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changes, and to conduct a public hearing regarding the proposed changes no later than fifteen days prior to the effective date.

### **Additional Information:**

#### **Red Book**

<http://www.mass.gov/anf/docs/hrd/policies/publications/pol-redbk.rtf>

#### **M.G.L. Chapter 7, section 28**

<http://www.mass.gov/legis/laws/mgl/7-28.htm>

### **Gray Book 11/02**

#### **Salary Administration Rules for Managers, Confidential and Unclassified Employees**

The rules in the [Gray Book](#) are applicable to Executive Branch employees classified as managers pursuant to [M.G.L. Chapter 30, section 45](#) and [Chapter 150E, section 1](#) or designated as confidential employees. These rules do not apply to the following employees:

- Those covered under any collective bargaining agreement
- Governor's Office
- Lieutenant Governor's Office
- Employees outside the Executive Branch
- Higher Education agencies
- Constitutional offices
- County sheriffs' offices
- Judicial Branch
- Legislative Branch

Among the subjects covered in the Gray Book are the following: the length of the workweek, time and attendance records, recruitment rates, setting salaries for promotions and job grade reductions, processing transfers, overtime pay, acting pay, salary collisions, merit pay and the appeal process.

The salary administration rules are promulgated by the Chief Human Resources Officer who has the right to establish, rescind and modify these rules.

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Gray Book Section 21.0 covers the Merit Pay Program for Managers.

**Additional Information:**

**Gray Book**

<http://www.mass.gov/anf/docs/hrd/policies/publications/pol-graybk.pdf>

**Management Classification**

<http://www.mass.gov/legis/laws/mgl/30-45.htm>

**Management Pay Plan**

<http://www.mass.gov/legis/laws/mgl/30-46c.htm>

**Management Pay Bands (eff 10/1/08)**

<http://www.mass.gov/anf/docs/hrd/policies/mcr/2008/salary-bands-08.doc>

**Appeals and Grievances**

<http://www.mass.gov/legis/laws/mgl/30-53.htm>

**Overtime Pay**

<http://www.mass.gov/legis/laws/mgl/30-24c.htm>

<http://www.mass.gov/legis/laws/mgl/30-46g.htm>

**Transfer of Vacation and Sick Leave Benefits for Prior Public Service**

Individuals entering service in the Executive Branch of the Commonwealth of Massachusetts who previously worked in a political sub-division of the Commonwealth, *under certain conditions*, may transfer vacation and sick leave benefits that were accrued during their prior public service in these other jurisdictions. Service recognized for these purposes includes work in the judicial or legislative branch, state and local public authorities, municipal or county government, constitutional and independent offices (e.g., Office of the State Auditor or Treasurer), the state higher education system and district attorneys' offices.

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Leave benefits that may be transferred include the following:

Leave Benefit	Definition
Vacation Status	Rate at which vacation leave is accumulated per year.
Vacation Credits	Days/Hours of unused accumulated vacation leave for which no compensation (buyout) has been received.
Sick Leave Credits	Days/Hours of unused accumulated sick leave for which no compensation (cash out) has been received.

The type and extent of the allowed leave transfers vary based on the jurisdiction in which the prior service occurred and on whether the position being entered is covered by the Red Book, i.e., managerial or confidential, or is covered by a collective bargaining agreement. No prior service will be recognized for these purposes if the separation from the service in question occurred three years or more from the date of entering service in the Executive Branch.

Vacation and sick leave credits deemed eligible for transfer are subject to pro-rating (upward or downward) in cases where the leave accumulation rates for the prior service differed from the accumulation rates in effect for the position into which the individual is being hired.

**“A genuine leader is not a searcher for consensus but a molder of consensus.”**  
*- Martin Luther King*

**“The task of the leader is to get his people from where they are to where they have not been.”**  
*- Henry Kissinger*

## Section 7: Other Benefits

*Please refer to the New Employee Orientation Guide for a complete list of benefits including health, life, and disability insurance, as well as retirement. Please consult your human resources office for complete plan details and instructions on enrolling.*

<http://www.mass.gov/anf/docs/hrd/policies/new-employee-orientation/guide.pdf>

### **Mandatory Health Insurance**

As of April 2007, the Health Care Reform Law made health insurance mandatory for all Massachusetts residents. The Law also created the Commonwealth Connector Authority (CCA) to assist individuals and employers with access to health insurance.

#### **Program**

The Commonwealth of Massachusetts has established a Section 125 (“cafeteria”) plan for the state’s employees who are not eligible to receive state-subsidized health insurance through the Group Insurance Commission (GIC) – for example, contract employees and most employees who work fewer than the required hours for GIC coverage – to purchase health insurance on a pre-tax basis from the Commonwealth Choice Program available through the Commonwealth Health Connector.

All Commonwealth employees who are **not** eligible for Commonwealth-sponsored GIC health insurance coverage are eligible. Employees who are eligible for Commonwealth-sponsored GIC coverage are not eligible for this plan.

Please see this link for more details.

Visit <http://www.mass.gov/anf> then Insurance & Retirement > Benefit Enrollment > Enrollment for NON GIC-Eligible Employees in HR-CMS Agencies and UMASS >

<http://www.mass.gov/anf/employee-insurance-and-retirement-benefits/benefit->

[enrollment/enrollment-for-non-gic-eligible-employees-in-hrcms-agencies-and-umass/](http://www.mass.gov/anf/employee-insurance-and-retirement-benefits/benefit-)

### **Dental/Vision Insurance**

Managers and confidential employees may enroll in an individual or family combined dental/vision insurance plan via a payroll deduction. Employees covered by a union contract have dental/vision coverage through a union-sponsored private insurance plan that is partly funded by the Commonwealth.

*Please check with your human resources office, as you have limited time to enroll after hire. Please see [www.mass.gov/gic](http://www.mass.gov/gic) for more information.*

### **Extended Illness Leave Bank (EILB)**

The Extended Illness Leave Bank is an optional program in which employees enroll by donating at least one sick, vacation, or personal day annually. Active members who have exhausted all other leave benefits may be eligible to withdraw from the EILB to a collective sick leave bank for use by employees when they have long-term absences (of more than 20 consecutive work days) due to illness or injury. *As a manager, you may be asked to approve your staff for EILB membership. Criteria include one year of employment and an acceptable attendance record. Please encourage your staff to enroll in this program, especially if they have no income replacement program such as short or long-term disability insurance. Please see <http://www.mass.gov/anf> then Employment, Equal Access, Disability > Employee Programs & Training > New Employee Orientation*

### **Travel**

Rules and guidelines for reimbursements for job-related travel, including meals, lodging, air travel, bus and rail travel, the use of state and private vehicles, and parking are set forth in the [collective bargaining agreements](#) for positions covered by collective bargaining; or in the [Red Book](#) for managers, confidential employees and others not covered by

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collective bargaining. All employees must also adhere to the guidelines governing travel issued by the Executive Office of Administration and Finance.

Approved travel reimbursements, which are not subject to state or federal income taxes, are issued as part of the normal bi-weekly payroll remittances.

### **Additional Information:**

Use of State Vehicles

<http://www.mass.gov/Eeoaf/docs/administrativbulletin10.pdf>

Travel Guidelines

<http://www.mass.gov/Eeoaf/docs/administrativbulletin8.doc>

### **Tuition Remission**

Please see Section 12 for information on [tuition remission](#)

### **SERV Volunteer Leave Program**

Under the SERV: *State Employees*

*Responding as Volunteers* program, eligible employees in the Executive Branch who have at least six months of state service may volunteer during their regular work schedule up to one day per month at an approved Massachusetts non-profit organization (7.5 or 8 hours/month; pro-rated for part-time employees.) Supervisor and agency approval is required. Operational needs of the agency are a factor in reviewing volunteer requests. Eligible areas include:

- Education
- Youth Mentoring
- Public and Charter Schools
- Health and Human Services
- Public Safety
- Environment
- Foster Care Leave (to attend legal proceedings)

*As a manager, you can serve as a role model by becoming a volunteer yourself or encouraging your staff to become volunteers, as long as it is feasible to*

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*accomplish the work on those volunteer days using other available resources.*

### **Additional Information:**

- SERV website: [www.mass.gov/serv](http://www.mass.gov/serv)
- SERV Brochure:  
<http://www.mass.gov/anf/docs/hrd/policies/leave/serv-brochure.doc>
- Executive Order 479  
[http://www.mass.gov/Agov3/docs/Executive%20Orders/Executive\\_order\\_479.pdf](http://www.mass.gov/Agov3/docs/Executive%20Orders/Executive_order_479.pdf)

*“Great leaders are almost always great simplifiers, who can cut through argument, debate, and doubt to offer a solution everybody can understand.”  
- General Colin Powell*

*“Only those who dare to fail greatly can ever achieve greatly.”  
- Robert Francis Kennedy*

## Section 8: Job Classification, Compensation, Civil Service, and Layoffs

### Position Classification and Compensation

The proper classification and compensation of positions are fundamental requirements for sound human resources management and form the foundation for the following:

- Internal pay equity; i.e., equal pay for equal work
- External pay equity; i.e., fair and competitive pay, consistent with labor market conditions
- Mutual clarification of job expectations between employees and their supervisors
- Valid performance appraisal
- Identification of training and development needs
- Recruitment and retention of valuable employees
- Compliance with federal and state labor laws, e.g., ADA, OSHA, FLSA
- High morale and productivity

### Management Classification

The Human Resources Division classifies positions as management consistent with the provisions of [M.G.L. Chapter 150E](#), the collective bargaining law. Once designated, the classification level and compensation for the management position are determined by a job evaluation process that assesses the intrinsic value of the job using measurement scales of common compensable factors.

The current job evaluation system was developed by Hay Associates. The Hay evaluation system measures positions using rating scales known as “guide charts.” These charts were designed by Hay specifically for the Commonwealth and were most recently updated in 2005. There are three general evaluative factors used in the Hay evaluation system that are common to all management jobs:

- **Know-How:** the total of knowledge, skills and abilities accumulated from training and practical experience that are necessary to perform the job.
- **Problem Solving:** the nature, complexity and variability of problems and challenges faced by incumbents of the position, and the degree of creativity needed to address these problems and challenges.
- **Accountability:** the output or impact on end results, including the degree of autonomy practiced by the incumbent, the size and scope of budgets managed, the amount of benefits disbursed, or the magnitude and breadth of operations regulated.

### Management Questionnaires (MQs)

The information needed to evaluate each management job is gathered using a Management Questionnaire (MQ) that is completed by the job incumbent and reviewed by the manager’s supervisor and the human resources office. The MQ serves as the position’s official description and as the basis for classifying the job, setting its level of pay and developing performance and training objectives. A copy of the current MQ for each active management position should be kept by the incumbent, and the original document should be filed centrally in a collective file in the agency’s HR office. MQs should be updated regularly particularly when a position changes substantially due to factors such as the following:

- New and/or different initiatives or job components;
- Requirements of different bases of knowledge and skill sets; or
- Significant increases in budgetary, supervisory or regulatory responsibilities.

To ensure accuracy and consistency, management positions are evaluated and reevaluated only by evaluators who have been trained in the use of the Hay job evaluation

process. Standardization in the evaluation process yields pay equity, i.e., the means of classifying and compensating fairly and providing equal pay for similar levels of work and responsibility.

### **Management Compensation**

#### **Salary Collisions**

Once appointed, managers may be eligible to receive adjustments to their salaries if they are determined to be in collision with the salaries of non-management subordinates. If a manager receives a salary adjustment, and such action causes a collision with her /his own supervisor, the manager's supervisor may also be eligible for a salary adjustment.

Salary adjustment requests require the same approvals as management recruitments, unless an agency is delegated such authority to process their own salary adjustments. Consult the Gray Book for the exact conditions that warrant salary adjustments. Note that salary adjustments are awarded at the sole discretion of the Chief Human Resources Officer.

#### **Additional Information:**

- M.G.L. Chapter 30, section 46C  
<http://www.mass.gov/legis/laws/mgl/30-46c.htm>
- HRD Shared Services Model Hiring Guidelines  
<http://www.mass.gov/anf/docs/hrd/policies/hire/shared-services-model-hiring-guidelines.doc>
- Gray Book 11/2002  
<http://www.mass.gov/anf/docs/hrd/policies/publications/pol-graybk.pdf>

### **Non-Management Classification and Compensation**

The non-management classification and pay plans include the following basic components:

- Job series (families) are determined, consistent with organizational need.

- The levels of work within the job series form the job classes.
- Job classes are described and defined by class specifications.
- Related classes are assigned to collective bargaining units, based on community of interest.
- Classes are assigned to job groups (pay ranges) through collective bargaining.
- Individual positions are described by position descriptions (Form 30).
- Positions are assigned to classes based on matching position descriptions to class specifications.
- The maintenance of current tables of organization provides a contextual framework for ensuring that positions are classified consistently within the organization.

Good classification practices require reviewing and updating position descriptions and tables of organization when the nature and requirements of positions change and when agency reorganizations significantly alter the inter-relationship between positions. Employees who feel that their positions are not appropriately classified have the right to appeal their classifications, pursuant to [M.G.L. Chapter 30, section 49](#).

#### **Confidential Employees**

Based on [M.G.L. Chapter 150E](#), the collective bargaining law, employees are designated as “confidential” by the Human Resources Division if they provide direct assistance in a confidential capacity to managers or others excluded from the coverage of collective bargaining. Confidential status is assigned to those positions whose functions are directly related to collective bargaining and/or labor relations. Confidential employees are excluded from union membership and are not subject to paying agency fees in lieu of union dues. They are paid using the salary charts in the collective bargaining agreement(s) that would cover their positions were they not deemed confidential. Their leave and other

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benefits are determined by the Red Book and the setting of their salaries at hire and upon promotion is regulated by the Gray Book.

Confidential employees may not be a member of a union (collective bargaining unit) but at the discretion of the Chief Human Resources Officer may receive the salary increases associated with the job group to which their title is assigned. The bargaining units (excluding those in the higher education system) are listed in Appendix VI.

### **Additional Information:**

Non-Management and Management Classification

<http://www.mass.gov/legis/laws/mgl/30-45.htm>

Classification Appeals

<http://www.mass.gov/legis/laws/mgl/30-49.htm>

Management Pay Plan

<http://www.mass.gov/legis/laws/mgl/30-46c.htm>

Management Compensation (eff 10/1/08)

<http://www.mass.gov/anf/docs/hrd/policies/mcr/2008/salary-bands-08.doc>

Collective Bargaining Contracts

See [Appendix VI](#)

Red Book

<http://www.mass.gov/anf/docs/hrd/policies/publications/pol-redbk.rtf>

Gray Book

<http://www.mass.gov/anf/docs/hrd/policies/publications/pol-graybk.pdf>

### **Civil Service**

Unless expressly exempt by law, all positions in state service are subject to civil service law ([M.G.L. Chapter 31](#)). Those positions exempt from civil service include management positions in grades M5-M12 (M-V through M-XII) and gubernatorial appointment to positions which are not part of the state's

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classification plan. The purpose of the civil service system is to implement basic merit principles in the hiring, training, promotion, and retention of employees.

### **Additional Information:**

Overview of the civil service system

Visit <http://www.mass.gov/anf> then link for Employment, Equal Access, Disability > Civil Service Information > Overview of Civil Service” or use this direct link:

<http://www.mass.gov/anf/employment-equal-access-disability/civil-serv-info/>

### **Appeals**

Use the following link for details on appeal rights relating to civil service. Visit

<http://www.mass.gov/anf> then link for Employment, Equal Access, Disability > Civil Service Information > Overview of Civil Service > Appeals or use this direct link:

<http://www.mass.gov/anf/employment-equal-access-disability/civil-serv-info/civil-serv-overview/appeals.html>

### **Additional Information:**

[M.G.L., Chapter 31, Civil Service Law](#)

- <http://www.mass.gov/legis/laws/mgl/g1-31-toc.htm>

Civil Service Commission [www.mass.gov/csc](http://www.mass.gov/csc)

### **Personnel Administration Rules**

- <http://www.mass.gov/anf/docs/hrd/cs/publications/personneladministratorrulesonline.doc> or
- Visit <http://www.mass.gov/anf> then link for Employment, Equal Access, Disability > Civil Service Information > Overview of Civil Service > Personnel Administration Rules

### **Reduction-in-Force/Layoffs**

Changing circumstances may require an agency to implement a plan for a reduction in force. This decision would be based upon a

programmatic and/or financial analysis of the agency's missions, mandates and staffing. When the decision is made by the appointing authority to eliminate positions, or it is determined that funds are insufficient to continue filling existing positions, the appointing authority makes the initial decision as to which occupied position titles will be affected by layoff. Once that decision is made, the agency must notify the Office of Diversity and Equal Opportunity (ODEO) and the Office of Employee Relations (OER) prior to implementing any layoff procedures. Use this link for detailed instructions for implementing layoffs.

[http://www.hrd.state.ma.us/agency\\_services/AS\\_Workforce\\_Planning/Reduction\\_Planning/08/Blues\\_Book.doc](http://www.hrd.state.ma.us/agency_services/AS_Workforce_Planning/Reduction_Planning/08/Blues_Book.doc)

## **Section 9: The Hiring and Recruitment Process**

*Before hiring or interviewing any applicants, please consult with your human resources office to ensure there is adequate funding to fill the position, to determine the proper classification and starting salary ranges, to get approval to fill the position, and to ensure all recruitment and diversity guidelines are followed.*

### **Hiring Process**

There are separate rules and guidelines that govern the management and non-management hiring and salary administration processes. The agency Diversity Officer should be involved in the hiring process by:

- Reviewing the job posting prior to its placement on CEO
- Reviewing the applicant pool for diversity
- Reviewing the process at various stages to ensure the requirements contained in the agency's Affirmative Action Plan have been met and
- Providing final sign-off on the hiring paperwork

Management titles are allocated to job groups established by statute. Those titles are paid in accordance with the Management Compensation Reform Salary Bands. The Management Compensation Reform was initiated in 2003 to make compensation more competitive, flexible and performance-based. The steps and grades that formerly characterized the management pay schedule have been replaced with salary bands divided into four quartiles.

Non-management titles are allocated by the Division of Labor Relations to a specific collective bargaining unit, based upon an assessment of the functions of the title. Each bargaining unit negotiates with the Office of Employee Relations a salary schedule composed of many job groups or grades. Each title assigned to that bargaining unit is also assigned to one of the job groups. Each union contract must be approved and funded by the legislature and the Governor before it is implemented. Each job group has a corresponding pay range from which incumbents of positions with those titles are paid. Confidential employees may not be a member of a union (collective bargaining unit) but will receive the salary associated with the job group to which their title is assigned. The bargaining units (excluding those in the higher education system) are listed in [Appendix VI](#).

### **Affirmative Action**

The Commonwealth is an affirmative action/equal employment opportunity employer. We take many measures to ensure that our applicant pool as well as our workforce reflects the diversity of the citizens of Massachusetts.

Through our various recruitment and outreach efforts, we seek to attract, recruit, hire, retain and/or develop for advancement, persons from all backgrounds. There is special emphasis on reaching out to persons who have been identified as protected class members. The agency Diversity Officer is involved in the recruitment and hiring

process, and his or her name and contact information are listed on each job posting on the CEO (see next section for details.).

**Additional Information:**

- Office of Diversity and Equal Opportunity 617-727-7441

**Websites**

- [http://www.hrd.state.ma.us/agency\\_services/AS\\_Manage\\_Workforce/odeo/odeo.htm](http://www.hrd.state.ma.us/agency_services/AS_Manage_Workforce/odeo/odeo.htm)
- Visit <http://www.mass.gov/anf> then Employment, Equal Access, Disability or use this direct link:  
<http://www.mass.gov/anf/employment-equal-access-disability/civil-serv-info/civil-serv-overview/>

**Job Posting**

All jobs, except those for which a waiver has been obtained and approved, must be posted on the [Commonwealth Employment Opportunity \(CEO\)](#) website. Jobs must be posted internally and externally for a minimum of 14 days.

CEO postings for non-management and management levels M1-M4 (I-IV) are posted at the agency level and approved by the Secretariat. CEO postings for management levels M5-M12 (V-XII) are posted at the agency level and must gain Secretariat and HRD approval before being posted to the website.

Waivers must be submitted and approved for any job the agency does not wish to post externally. Non-management waivers and waivers for management levels M1-M4 (MI-MIV) are completed and approved at the Secretariat level. Waivers for management levels M5-M12 (MV-MXII) are submitted to HRD.

**Management Hiring**

All management hires must be placed in the Notice of Intent to Hire (NIH) web-based system. Most agency heads are appointed by the Governor. NIH entries for management

levels M1-M4 (MI-MIV) are made at the agency level and must gain both agency and Secretariat (or his or her designee) level approval before the employee can begin work. NIH entries for management levels M5-M12 (MV-MXII) must gain agency, Secretariat (or his or her designee), and HRD approval before the employee can begin work. Furthermore employees hired at the M5-M12 (MV-MXII) level must complete and pass an employment check which is done through the Governor's Office.

**Recruitment/Interviewing Procedures**

There is extensive information that will provide guidance to you on the hiring process. Please read the following in-depth resources.

**Additional Information:**

**Human Resources Division Shared Services Model Hiring Guidelines**

<http://www.mass.gov/anf/docs/hrd/policies/hire/shared-services-model-hiring-guidelines.doc>

- Position Classification
- Position Management
- Posting/Waivers/Recruitment
- Selections
- Appointment Process
- Post-Hire Audit Guidelines

**HRD Model Hiring Plan, Chapter VI**

<http://www.mass.gov/anf/docs/hrd/policies/files/pol-modelhiringpln.doc>

**Interview Questions**

The purpose of the interview questions is to learn about the candidate's work experience, knowledge, skills, and abilities, management style, and career and professional goals, from a variety of angles. The interview questions should give the interviewers an idea of the candidate's motivation to perform and experience working with a diverse workforce. When developing your interview questions you should focus on job-related qualifications. The questions you decide to ask should be reviewed by the agency's

Diversity Officer prior to conducting the interviews. When developing your interview questions, utilize the job description and draft a series of questions that will allow the interviewers to evaluate the individual's ability to do the job, (his/her work experience, skills, characteristics, and knowledge of the subject matter, etc.). All candidates should be asked the same series of questions. A standard evaluation tool should be used to rank all candidates.

**Additional Information:**

HRD Model Hiring Plan, Chapter V

<http://www.mass.gov/anf/docs/hrd/policies/files/pol-modelhiringpln.doc>

Massachusetts Commission Against Discrimination on Pre-Employment Inquiries.  
<http://www.mass.gov/mcad/regs804cmr0300.html>  
<http://www.mass.gov/mcad/disability1a.html#4>

**Conducting Reference Checks**

The hiring manager or human resources unit should conduct reference checks. These reference checks can be completed over the phone or in writing. Ensure the applicant has provided you with the addresses and telephone numbers of their references. Start by attaining factual information, verifying employment and proceed to more detailed information regarding applicant's communication skills, work performance, relationship with co-workers, and employer's willingness to rehire. Consider all the information you gather from these references before making your decision.

**Additional Information:**

Model Hiring Plan, Chapter VI

<http://www.mass.gov/anf/docs/hrd/policies/files/pol-modelhiringpln.doc>

**Management Compensation Upon Hire**

**Management Levels M1-M12**

By law, all management recruitments require a recommendation by the appropriate

Secretariat and the Chief Human Resources Officer as well as the prior approval of the Secretary for Administration and Finance. Agencies that have been delegated the authority by the Secretary for Administration and Finance to process their own management recruitments are subject to post-audit of their conformance to procedures and regulations by HRD.

Appointees to management positions in job groups M-I through M-XII may be recruited as follows:

- When the entry-level rate is not competitive, the appointing authority may certify that an emergency exists due to the inability to fill the position at the minimum salary level and may request to recruit above the minimum.
- The appointing authority may request to recruit a manager based on the appointee's number of years of previous work experience, which is comparable in kind and level to the work to be performed.
- Under certain conditions, persons appointed to management positions may be recruited at a salary rate higher than the entry-level rate for their respective job classifications. A request for a salary increase above the minimum, exceeding 15% of the candidate's prior salary must be submitted to HRD for approval.

**Non-Management Compensation upon Hire**

Appointees to non-management positions may be recruited above the minimum salary rate of the job group of the position as follows:

- *Class recruitment.* The appointing authority requests to recruit, certifying that an emergency exists due to the inability to hire at the minimum or entrance rate. Written justification is required and the recruitment rate, if approved, applies to all positions in the class/title to be recruited. For

example: if a recruitment rate of step 4, job group 14, is established for the class title of Staff Nurse, all new incumbents in Staff Nurse positions in state agencies will be hired at step 4, and all current incumbents in this position who are at steps 1, 2, or 3 will be advanced to step 4.

- These emergency recruitment rates are in effect for one year unless rescinded earlier by the Chief Human Resources Officer. Emergency recruitment rates require a recommendation by the appropriate Secretariat and the Chief Human Resources Officer as well as the prior approval of the Secretary for Administration and Finance. (Note: Implementation of class recruitment initiatives would also be subject to agreement between HRD and the collective bargaining agent representing employees in the affected title.)
- *Recruitment due to Creditable Service.* The appointing authority may also request to recruit individuals above step one who have the years of experience to reach a certain step. If placement at a step above step 1 does not exceed a salary increase of 15% then this recruitment can be approved and implemented at the agency and/or secretariat level. If the employee has the years of experience but placement at a step above step 1 exceeds a salary increase of 15%, then the recruitment must be sent to HRD for approval.

An appointee may not be recruited at a salary rate above the minimum if the appointee has been in the service of the Commonwealth or held a personal service contract with the Commonwealth within the previous 12-month period. Some exceptions to this rule are described in certain collective bargaining contracts; for example, those which allow crediting of experience as a consultant under special conditions. Contact the Office of Employee Relations for information about these exceptions.

### **Technical Pay Law (TPL)** **Professional Information Technology positions**

The Technical Pay Law allows positions in certain professional data processing titles, such as EDP Programmers and EDP Systems Analysts, to be exempted from the state's classification plan and civil service law, and for incumbents to be paid within ranges that may exceed those in the NAGE Unit 6 salary schedule. Pay ranges are recommended periodically by the Chief Human Resources Officer for approval by the Secretary for Administration and Finance. Agencies submit requests to convert such positions for approval by the Chief Human Resources Officer (or if delegated, agencies process the conversions themselves), and also submit to the Information Technology Division the resumes of the individuals they wish to appoint. The current TPL salary ranges may be obtained from HRD. Pay increases are performance-based and at the discretion of the agency within the guidelines set forth by HRD.

### **Additional Information:**

For additional information regarding recruitment of non-management personnel:

- M.G.L. Chapter 30, section 46, paragraphs (5) and (5A)  
<http://www.mass.gov/legis/laws/mgl/30-46.htm>
- HRD Shared Services Model Hiring Guidelines  
<http://www.mass.gov/anf/docs/hrd/policies/hire/shared-services-model-hiring-guidelines.doc>
- HRD Model Hiring Plan  
<http://www.mass.gov/anf/docs/hrd/policies/files/pol-modelhiringpln.doc>
- Technical Pay Guidelines  
<http://www.mass.gov/anf/docs/hrd/policies/tpl/final-tpl-guide.doc> or go to [www.mass.gov/hrd](http://www.mass.gov/hrd) then "Policies and Benefits" then "Technical Pay Law"

link for current salary guidelines and eligible titles.

## **Section 10: Employee / Labor Relations and Collective Bargaining**

*You are strongly advised to contact your agency's Employee/Labor Relations Director when dealing with any of the subjects mentioned below, as he/she will be well versed in managing these processes.*

### **Overview of Collective Bargaining**

M.G.L. Chapter 150E is the Massachusetts public employee collective bargaining law which gives public employees the right to form and join unions and bargain collectively over terms and conditions of employment. The Massachusetts Division of Labor Relations is charged with enforcing this law. As a general rule, the terms and conditions of employment are negotiated into collective bargaining agreements. Certain terms and condition of employment are considered to be mandatory subjects of bargaining. It is not practical to place a listing of all mandatory subjects of bargaining (e.g., parking privileges) here, but in the event that you contemplate changing an existing employment practice which substantially impacts employees, you must contact your agency's Labor Relations Director or your agency Human Resources Director in advance of any actual change. To do otherwise could be considered a unilateral change (without bargaining with the union(s) and could elicit an unfair labor practice charge from the union(s) against your agency. The Massachusetts Division of Labor Relations website can be found at: [www.mass.gov/dlr](http://www.mass.gov/dlr).

The specific terms and conditions of employment for Commonwealth Executive Branch employees represented by unions are found in the respective collective bargaining agreements. Currently, there are eleven (11) certified bargaining agents which represent thirteen (13) separate bargaining units (see [Appendix VI](#).) Approximately 90% of the state employee workforce is covered by a collective bargaining contract, including most supervisory titles.

While most of the collective bargaining agreements are similar in the provision of certain benefits, such as vacation, sick and personal leave accruals and utilization, there are many aspects of these various agreements which are customized for the bargaining unit and do not conform to a standardized pattern. You are encouraged to review these collective bargaining agreements at the HRD website <http://www.hrd.state.ma.us/> then “Manage Workforce” then “Rules and Guidelines” then “Collective Bargaining”.

### **Managing the Workforce**

Among the key employee relations policies and procedures of importance to all managers are the Employee Performance Review System (EPRS) procedures (see section 11 for more details) and grievance processing. More information on these matters is provided later in the handbook.

### **Progressive Discipline**

Employees who continue to fail to adhere to the policies and procedures of their employing agency may be subject to progressive discipline. Progressive discipline requires that employees receive incrementally greater discipline to modify their behavior/performance to a standard that is acceptable to the employing agency. Traditional progressive discipline may commence with a warning (verbal or written), a moderate suspension, a more severe suspension and finally discharge/termination from employment. The Human Resources Division (HRD) Legal Unit and the Office of Employee Relations (OER) have recently collaborated on an updated policy on progressive discipline. See the following link:  
[http://www.hrd.state.ma.us/agency\\_services/AS\\_Manage\\_Workforce/Rules\\_and\\_Guidelines/employee\\_discipline\\_guide.doc](http://www.hrd.state.ma.us/agency_services/AS_Manage_Workforce/Rules_and_Guidelines/employee_discipline_guide.doc)

Employee/Labor Relations issues should be discussed with your Director of Employee/Labor Relations prior to the imposition of any discipline.

### **Grievance Processing with the Union**

Employees who have been disciplined, or have received an annual “Below” EPRS performance rating, or allege another infraction of the union contract may choose to have their interests represented by their union representative or steward. Employee grievances are typically filed by the union on behalf of the employee and should cite specific alleged violations of the collective bargaining agreement(s). Grievance processing can vary between collective bargaining agreements, so you are advised to thoroughly familiarize yourself with the grievance process specified in the contract for the affected employee. Please work with your agency’s Labor Relations Director or Human Resources Director on any grievances you receive.

### **Investigatory Interviews with Employees**

An employee may request that a union representative be present at an investigatory interview where the employee reasonably believes the investigation will result in disciplinary action (the so-called Weingarten Rule). The right to a union representative is triggered when the investigatory interview or meeting may lead to disciplinary action. The rule only applies to an “investigatory interview.” The rule does not apply if a manager is giving work orders or instructions to an employee, or simply administering discipline. For example, if a manager is giving instructions or correcting work techniques, the employee has no right to a union representative. In addition, the employee is only entitled to have a union representative present. It is not necessary for the employee to have the specific union representative of his choosing present when accommodating such a request might unduly delay the interview. Lastly, the union representative may attend, but his/her presence is not an invitation to participate in the interview.

**Duty to Furnish Information**

M.G.L. Ch. 150E also obligates the employer to furnish to a union, upon request, that information which is relevant and reasonably necessary to the union's execution of its duties as exclusive bargaining representative. This duty extends to information needed for negotiation as well as processing grievances. The Division of Labor Relations Commission's (DLR) standard for determining relevance and reasonableness is a liberal one. Refer all information requests to your agency Labor Relations Director or other Human Resources representative.

**Role of Union Stewards**

The job of the union steward is to advocate on behalf of employees to ensure that the collective bargaining agreement is administered as intended. While the steward is an agency employee, when on union business they require the flexibility to effectively carry out that duty.

**Additional Information:**

- Union Contracts  
See [Appendix VI](#)
- Employee Discipline Guide  
[http://www.hrd.state.ma.us/agency\\_services/AS\\_Manage\\_Workforce/Rules\\_and\\_Guidelines/employee\\_discipline\\_guide.doc](http://www.hrd.state.ma.us/agency_services/AS_Manage_Workforce/Rules_and_Guidelines/employee_discipline_guide.doc)
- M.G.L. Ch. 150E  
<http://www.mass.gov/legis/laws/mgl/g1-150e-toc.htm>
- Division of Labor Relations  
[www.mass.gov/dlr](http://www.mass.gov/dlr)

**Section 11: Performance Evaluations and Employee Recognition**

**ACES: Achievement and Competency Enhancement System**

*You are responsible for assuring that all managers and unclassified employees who report to you and your staff receive timely and well documented performance reviews and that performance discussions/meetings are held each year.*

ACES is the annual performance evaluation system used by managers and some unclassified employees. The ACES cycle runs from October 1st through September 30th each year. A manager being evaluated is called a Reporting Manager. The supervisor of the Reporting Manager is called the Appraising Manager. The Appraising Manager reports to a Reviewing Manager. Upper level managers may have appraising and/or reviewing responsibilities. Under the guidance and direction of the Human Resources Division, managers will complete this process in a timely manner in order to gain authorization to increase managers' compensation according to the Management Compensation Reform (MCR) guidelines for the year just ended.

**Additional information:**

- Visit <http://www.mass.gov/anf> Employment, Equal Access, Disability > State Employee Benefits & Compensation > Performance Reviews and Management Compensation or use this direct link:
- <http://www.mass.gov/anf/employment-equal-access-disability/employee-benefits-and-comp/perf-reviews-and-mgmt-comp/>

**Professional Development**

As part of the Achievement and Competency Enhancement System (ACES) performance evaluation system for managers, all managers

may set optional goals for professional development (career growth objectives) appropriate to their positions during each annual cycle. In addition, managers are encouraged to mentor and lead their reporting employees by making opportunities for training and professional development accessible to all.

The development plan should be adjusted and modified as needed throughout the employee's career growth.

Some agencies and/or Secretariats have established specific staff development opportunities for their staff.

### **EPRS: Employee Performance Review System**

*Managers are responsible for ensuring all unionized employees, including TPL employees, in their chain of command receive timely performance reviews. Managers and supervisors must implement remedial development plans for employees who are approaching "Below" performance ratings at mid-year or at the end of the evaluation cycle.*

The Employee Performance Review System (EPRS) is the tool mutually developed by the HRD and the labor unions to measure employee performance and to ensure there is a direct correlation between compensation and employee performance. EPRS is mandated by the various collective bargaining agreements (CBA) for all employees in CBA classifications, including non-management confidential employees and employees who choose to pay the agency fee rather than union dues. The evaluation cycle runs from July 1<sup>st</sup> through June 30<sup>th</sup> each year (a fiscal year.)

EPRS defines, for both the employee and the supervisor, the job duties and related performance metrics that will be expected of the employee for the evaluation year. There are three (3) distinct stages in the annual

cycle: Stage A: Performance Planning, Stage B: Performance Review, and Stage C: Annual Review. The three-tiered ratings categories are as follows: "Exceeds", "Meets", or "Below". The Annual Review rating is the determining factor whether an employee receives any collectively bargained salary increases, step increases, or bonuses. Employees who receive "Below" ratings may have their annual rating re-determined by the Appointing Authority via an appeal processed through the union at a tripartite panel. We encourage you to attend EPRS training offered by the Human Resources Division (HRD).

Employees in specified Information Technology positions covered by the Technical Pay Law (TPL) are subject to the provisions of the CBA and evaluated annually using the EPRS. Salaries for TPL positions are determined by a market survey process.

### **Additional information:**

EPRS Supervisor Guide

- Visit <http://www.mass.gov/anf>  
Employment, Equal Access, Disability > State Employee Benefits & Compensation > Performance Reviews & Management Compensation > EPRS Supervisor Guide
- Or use this direct link:  
<http://www.mass.gov/anf/employment-equal-access-disability/employee-benefits-and-comp/perf-reviews-and-mgmt-comp/eprs-supervisor-guide/>

TPL employees

- Visit <http://www.mass.gov/anf>  
Employment, Equal Access, Disability  
> State Employee Benefits &  
Compensation > Technical Pay Law

Or use this direct link:

- <http://www.mass.gov/anf/employment-equal-access-disability/employee-benefits-and-comp/tpl/>

### **Performance Recognition Programs**

The Governor's Citation for Outstanding Performance is presented annually to employees in the Executive Branch as they are nominated and selected by their respective employing agencies. In addition, ten of the Citation awardees are selected for additional recognition as recipients of the Manuel Carballo Governor's Award for Excellence in Public Service. Employees may be nominated for the Eugene H. Rooney, Jr. Public Service Award without prior designation as a citation recipient by their employing agency. The Rooney award recognizes exceptional accomplishments in the area of human resource development and training. The Mentoring award recognizes employees who play a vital role in preparing the Commonwealth's workforce of tomorrow by serving as a mentor to a subordinate or peer in the workplace on an ongoing basis. Full information concerning these programs may be viewed at <http://www.mass.gov/anf> then > Employment, Equal Access, Disability > Employee Programs & Training > Performance Recognition Program or use this direct link:

<http://www.mass.gov/anf/employment-equal-access-disability/employee-prog-and-training/performance-recog-prog/>

## **Section 12: Career Development Training**

A training/development plan for each employee is a way to aid in the success of all employees within State Government. Some suggested training would include basic computer skills, job specific training, advanced computer applications, core competencies, fundamentals of coaching, mentoring, communication skills and basic skills, if necessary.

Many secretariats and agencies have their own training departments and offer professional development, computer skills, and job-specific training at the secretariat or agency level. Check with your agency for specific training opportunities offered. A new web-based Learning Management System (LMS) called Performance and Career Enhancement (PACE) was introduced in June 2007.

<http://www.mass.gov/anf/docs/hrd/td/pace/pa-ce-faq.doc>

If employees have the tools to perform – e.g., proper training, coaching and feedback from their manager, they not only do a better job, but they also feel better about their jobs. An employee development plan is a necessary tool for employees to succeed in any organization.

### **Mandatory Training**

#### **Diversity (offered by the Human Resources Division (HRD) and at the Secretariat or agency level)**

Managers must attend diversity awareness training. The training seeks to increase the level of awareness around difference and helps the manager to gain a sense of self-awareness of their views on difference(s). The goal of the training is to help foster a more inclusive work environment where everyone regardless of race, sex, color, national origin and ancestry, religion, age, mental/physical disability, sexual orientation, veterans' status, organizational level, economic status, geographical origin, marital

status, communication and learning style, and other characteristics and traits, feels valued and respected. Creating a work environment that capitalizes on each individual's talents, skills, and perspectives increases organizational productivity and effectiveness.

**Sexual Harassment Prevention (offered by HRD)**

The Human Resources Division is responsible for updating and issuing the Commonwealth's sexual harassment policy, while working with agencies to ensure compliance with state and federal laws prohibiting discrimination in the workplace. In accordance with guidelines set forth by the Massachusetts Commission Against Discrimination and [M.G.L. Chapter 151B](#), employers are encouraged to conduct prevention training targeting sexual harassment and other forms of prohibited discrimination for all managers and employees on a regular basis. Employers are also advised to conduct additional training for supervisory and managerial employees, addressing their specific responsibilities in investigating and applying appropriate corrective action to address these complaints.

To ensure that Commonwealth supervisors, managers and employees fully understand their responsibilities to maintain a workplace free from sexual harassment, agency wide training should be offered.

**Workplace Violence/Domestic Violence (offered by HRD and at the Secretariat or agency level)**

The Human Resources Division is responsible for the oversight, management and delivery of workplace and domestic violence prevention training as per Executive Orders #398 and #442 respectively. As mandated in the executive orders, it is essential that Agency Heads work with the Training and Learning Development Group to coordinate training, and ensure that all necessary safety protocols are implemented. The Training and Learning Development team works closely with the Executive Office of Public Safety, State Police, OSHA, and local law enforcement to

identify best practice responses to workplace violence incidents. The Human Resources Division will continue to provide executive briefings to agency heads and training resources to help ensure that training objectives remain consistent and internal trainers fully understand the Commonwealth's role in minimizing the risks associated with violence in the workplace.

**Additional Information:**

Domestic Violence Policy

<http://www.mass.gov/anf/docs/hrd/policies/prevention/domestic-violence-sexual-assault.doc>

Sexual Harassment Policy

<http://www.mass.gov/anf/docs/hrd/policies/files/pol-sexhar-pol.rtf>

Workplace Violence Policy

[http://www.hrd.state.ma.us/agency\\_services/AS\\_Manage\\_Workforce/Rules\\_and\\_Guidelines/Workplace\\_Violence/Zero\\_Tolerance\\_for\\_Domestic\\_Violence\\_Policy\\_12\\_20\\_02.doc](http://www.hrd.state.ma.us/agency_services/AS_Manage_Workforce/Rules_and_Guidelines/Workplace_Violence/Zero_Tolerance_for_Domestic_Violence_Policy_12_20_02.doc)

HRD Training Registration site

[http://comasskcpod.mksi-lms.com/kc/login/login.asp?kc\\_ident=kc0001&strUrl=http://comasskcpod.mksi-lms.com/Default.asp](http://comasskcpod.mksi-lms.com/kc/login/login.asp?kc_ident=kc0001&strUrl=http://comasskcpod.mksi-lms.com/Default.asp)

**Optional Training Comptroller**

Employees with fiscal responsibilities can take advantage of the training services that The Office of the Comptroller provides on state finance law, the Massachusetts Management Accounting and Reporting System (MMARS), the Data Warehouse, Federal Grants, Contracts and all other elements of fiscal business. Training consists of webcasts, eLearning modules and hands-on training. They also maintain a Help-line. <http://www.mass.gov/osc/guidance-for-agencies/training/>

**Operational Services Division (OSD)**

OSD offers a variety of free training opportunities for department staff related to the procurement of goods and services which include:

- Procurement 101 – The Basics
- Guidelines for Writing an RFR
- Incidental Purchases and Other Procurement Exceptions
- Statewide Contract Information
- Comm-PASS Purchaser Training
- Comm-PASS User Training
- Comm-PASS Administrator Training

**On-site sessions** for Comm-PASS Training may be scheduled based on staff and resource availability for organizations.

[www.mass.gov/osd](http://www.mass.gov/osd). See “Programs and Services” then “Training” link.

**State Ethics Commission**

The Commission staff regularly offers free seminars at its Boston office, Room 619, One Ashburton Place. Please contact the Commission at 617-371-9500 if you are interested in sponsoring a seminar at your facility or in attending one of the Commission's in-house training sessions. The Commission provides free educational seminars for state agencies explaining how the conflict of interest law restricts the conduct of municipal, county and state officials and employees.

Some of the topics covered at these informative sessions include restrictions on receiving gifts, outside employment, contracting with the public employer, acting on matters in which family members and business associates have a financial interest, leaving municipal, county or state government to work for companies which conduct business with the town, county or Commonwealth, and avoiding appearances of conflicts of interest.

State employees are encouraged to complete an online (eLearning) program on state ethics:

[http://db.state.ma.us/ethics/quiz\\_MEthics/index.asp](http://db.state.ma.us/ethics/quiz_MEthics/index.asp)

**Tuition Remission**

The Commonwealth of Massachusetts' primary educational offering is a Tuition Remission Program available to eligible state employees and their spouses for courses at state and community colleges.

Tuition Remission is available to full-time state employees and their spouses. At the time of application, an employee must have six months of full-time or equivalent part-time service with the Commonwealth. In case of a break in service, employees will be credited with previous service as long as the break has been less than three (3) years. Retired employees of the Commonwealth are not eligible for tuition remission. Contract employees are not eligible.

Contact your Agency Human Resources Department for detailed information.

**Tuition Remission Certificate**

<http://www.mass.gov/anf/docs/hrd/policies/files/tuition-remission-certificate-form.rtf>

**Bradford and Suffolk Fellowship**

The Commonwealth of Massachusetts, in conjunction with Harvard University, offers managers the opportunity to attend the University's John F. Kennedy School of Government Mid-Career Master in Public Administration (MPA) Program.

In addition, in conjunction with Suffolk University, the Commonwealth of Massachusetts also offers Executive Branch managers the opportunity to attend the Frank Sawyer School of Management, Master in Public Administration Program.

Managers who occupy a full time position in an active status, classified as management at levels MV-MXII (M5-M12) within the Executive Branch, or are Massachusetts State Police Department employees classified as Lieutenant or above, are eligible for these

programs. Additional eligibility and selection criteria, instructions, and the application processes are available through your Agency Human Resources Department or the HRD website.

Visit <http://www.mass.gov/anf> then  
Employment, Equal Access, Disability >  
Employee Programs & Training > Fellowship  
Programs

or use this direct link:

<http://www.mass.gov/anf/employment-equal-access-disability/employee-prog-and-training/fellowship-prog/>

**Appendix I:**

**Receipt for Handbook for  
Massachusetts State Managers**

I hereby acknowledge that I have received a copy of The Handbook for Massachusetts State Managers dated October 2007. I will direct any questions on the contents to my Human Resources Office.

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Manager Name

---

Date

Original to be filed in personnel file  
Cc: Employee

**Appendix II:**  
**Manager Code of Conduct**

**Manager Code of Conduct (33 pages)**

<http://www.mass.gov/anf/docs/hrd/policies/files/manager-code-of-conduct.rtf>

**Appendix III:**  
**Receipt for Manager Code of Conduct**

**Code of Conduct**

I, \_\_\_\_\_ hereby acknowledge receipt of the Code of Conduct for Managers and Non-Union Employees.

I hereby acknowledge that I am obligated to familiarize myself with the contents of the Code and that I must abide by all requirements.

I understand that the effective date of the Code is ten days from the receipt of the Code. I further acknowledge that the effective date clause of the Code. Rule 3.01 (f), does not grant a waiver of the requirement to adhere to the several requirements of the Code.

I acknowledge that I am subject to immediate dismissal if I violate any portion of the Code after the effective date of the Code.

NOTE: Failure to sign and return this Receipt Form within ten days is itself a violation of the Code, and will subject a violator to immediate dismissal or other discipline, at the discretion of the appointing authority.

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Print Name

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Signature Date

## **Appendix IV:** **Contact information**

Please contact your agency Human Resources Office first before contacting other agencies.

A complete list of Massachusetts state agencies may be found at [www.mass.gov/](http://www.mass.gov/) under “Government links” then “State Government” then “Alphabetic List, All Branches”  
<http://www.mass.gov/portal/global-agency-list.html>

### **Civil Service Commission**

One Ashburton Place, Room 503  
Boston, MA 02108  
617-727-2293  
[www.mass.gov/csc](http://www.mass.gov/csc)

### **Comm-PASS HelpDesk (Operational Services Division)**

Phone: 617-720-3197  
Email: [comm-pass@osd.state.ma.us](mailto:comm-pass@osd.state.ma.us)  
[www.mass.gov/osd](http://www.mass.gov/osd)

### **Division of Labor Relations**

19 Staniford Street, 1st Floor  
Boston, MA 02114  
617-626-7132  
Springfield: 413-784-1230  
[www.mass.gov/dlr](http://www.mass.gov/dlr)

### **Group Insurance Commission**

Office address: 19 Staniford Street, fourth floor in the Charles F. Hurley building  
Mailing address: P.O. Box 8747, Boston, MA 02114-8747.  
617-727-2310  
TDD/TTY 617-227-8583  
[www.mass.gov/gic](http://www.mass.gov/gic)

### **Human Resources Division**

One Ashburton Place, Room 301  
Boston, MA 02108  
617-727-3555  
[www.mass.gov/hrd](http://www.mass.gov/hrd)

**Massachusetts Office on Disability**

One Ashburton Place, Room 1305  
Boston, MA 02108  
617-727-7440 or toll free 800-322-2020 (V/TTY)  
FAX 617-727-0965  
[www.mass.gov/mod](http://www.mass.gov/mod)

**Office of Campaign and Political Finance**

One Ashburton Place, Room 411  
Boston, MA 02108  
Telephone: (617) 979-8300  
1-800-462-OCPF  
Fax: (617) 727-6549  
E-mail: [ocpf@cpf.state.ma.us](mailto:ocpf@cpf.state.ma.us)  
Web: <http://www.mass.gov/ocpf/>

**Office of Diversity and Equal Opportunity**

Human Resources Division  
One Ashburton Place, 2<sup>nd</sup> floor  
Boston, MA 02108  
617-727-7441  
Fax: (617) 727-0568  
TTY: (617) 727-6015

**State Ethics Commission**

One Ashburton Place, Room 619  
Boston, MA 02108  
617-371-9500  
Fax: (617) 723-5851  
[www.mass.gov/ethics](http://www.mass.gov/ethics)

**State Retirement Board**

One Ashburton Place, 12th Floor  
Boston, MA 02108  
617-367-7770  
1-800-392-6014 (In MA Only)

436 Dwight Street, Room 109  
Springfield, MA 01103  
413-730-6135  
<http://www.mass.gov/treasury/srb.htm>

## **Appendix V:** **References/websites**

Acceptable Use Policy (AUP) - IT

[http://www.mass.gov/Aitd/docs/policies\\_standards/acceptableuse.pdf](http://www.mass.gov/Aitd/docs/policies_standards/acceptableuse.pdf)

Appeals and Grievances

<http://www.mass.gov/legis/laws/mgl/30-53.htm>

Budget process

[www.mass.gov/budget](http://www.mass.gov/budget)

<http://www.mass.gov/lib/facts/statebudgetprocess.doc>

Campaign and Political Finance, Office of

Website [www.mass.gov/ocpf/](http://www.mass.gov/ocpf/)

M.G.L. Ch. 55 <http://www.mass.gov/legis/laws/mgl/gl-55-toc.htm>

Citizen's Guide to Massachusetts State Services

<http://www.sec.state.ma.us/cis/ciscig/guide.html>

Civil Service Commission

[www.mass.gov/csc](http://www.mass.gov/csc)

Code of Conduct

<http://www.mass.gov/anf/docs/hrd/policies/files/manager-code-of-conduct.rtf>

Comm-Pass website (procurement)

<http://www.comm-pass.com>.

Conflict of Interest

M.G.L. Ch. 268A

<http://www.mass.gov/legis/laws/mgl/gl-268a-toc.htm>

Division of Labor Relations (DLR) website

[www.mass.gov/dlr](http://www.mass.gov/dlr)

Environmentally Preferable Products (procurement)

[www.mass.gov/epp](http://www.mass.gov/epp).

Executive Orders

Visit [www.mass.gov/gov](http://www.mass.gov/gov) > Legislation & Executive Orders or:  
<http://www.mass.gov/governor/legislationeexecorder/executiveorder/>

Fellowship Programs (professional development)

<http://www.mass.gov/anf/employment-equal-access-disability/employee-prog-and-training/fellowship-prog/>

FLSA

[http://www.hrd.state.ma.us/agency\\_services/AS\\_Manage\\_Workforce/Rules\\_and\\_Guidelines/flsa.pdf](http://www.hrd.state.ma.us/agency_services/AS_Manage_Workforce/Rules_and_Guidelines/flsa.pdf)

FMLA Guide

<http://www.mass.gov/anf/docs/hrd/policies/fmla/guide-employees.doc>

Gray Book

<http://www.mass.gov/anf/docs/hrd/policies/publications/pol-graybk.pdf>

Group Insurance Commission

[www.mass.gov/gic](http://www.mass.gov/gic)

Hay Job Evaluation Process

[http://www.hrd.state.ma.us/agency\\_services/AS\\_Manage\\_Positions/Job\\_Classification/position\\_evaluation\\_training\\_manual\\_hay\\_guide\\_chart\\_profile\\_method.doc](http://www.hrd.state.ma.us/agency_services/AS_Manage_Positions/Job_Classification/position_evaluation_training_manual_hay_guide_chart_profile_method.doc)

Hiring Guidelines

<http://www.mass.gov/anf/docs/hrd/policies/hire/shared-services-model-hiring-guidelines.doc>

Human Resources Division (HRD) website

[www.mass.gov/hrd](http://www.mass.gov/hrd)

Management Classification

<http://www.mass.gov/legis/laws/mgl/30-45.htm>

Management Classification Appeals

<http://www.mass.gov/legis/laws/mgl/30-49.htm>

Management Pay Plan

<http://www.mass.gov/legis/laws/mgl/30-46c.htm>

Management Pay Bands (Salary Chart) 10/1/08

<http://www.mass.gov/anf/docs/hrd/policies/mcr/2008/salary-bands-08.doc>

Manager Code of Conduct

<http://www.mass.gov/anf/docs/hrd/policies/files/manager-code-of-conduct.rtf>

Model Hiring Plan

<http://www.mass.gov/anf/docs/hrd/policies/files/pol-modelhiringpln.doc>

New Employee Orientation Guide

<http://www.mass.gov/anf/docs/hrd/policies/new-employee-orientation/guide.pdf>

New Employee Checklist

<http://www.mass.gov/anf/docs/hrd/policies/files/pol-newemplcklst.doc>

New Employee Orientation Onboarding Guidelines

<http://www.mass.gov/anf/docs/hrd/policies/files/pol-onboardingguidelines.doc>

Operational Services Division (OSD) website

[www.mass.gov/osd](http://www.mass.gov/osd)

Overtime Pay

<http://www.mass.gov/legis/laws/mgl/30-24c.htm>

<http://www.mass.gov/legis/laws/mgl/30-46g.htm>

Pre-employment Inquiries

<http://www.mass.gov/mcad/regs804cmr0300.html>

<http://www.mass.gov/mcad/disability1a.html#4>

Public Records Law

Comprehensive Guide to Public Records Law

<http://www.sec.state.ma.us/pre/prepdf/guide.pdf>

Condensed Guide to Public Records Law

<http://www.sec.state.ma.us/pre/prepdf/pubreclaw.pdf>

Massachusetts General Laws, Chapter 4, section 7(26)

<http://www.mass.gov/legis/laws/mgl/4-7.htm>

Massachusetts General Laws, Chapter 66, section 10(a)

<http://www.mass.gov/legis/laws/mgl/66-10.htm>

Records Retention

<http://www.sec.state.ma.us/arc/arcrmu/rmurds/0707.doc>

Red Book

<http://www.mass.gov/anf/docs/hrd/policies/publications/pol-redbk.rtf>

<http://www.mass.gov/legis/laws/mgl/7-28.htm>

Rental Cars

<http://www.mass.gov/Aosd/docs/ovm/terms.doc>

Sexual Harassment

Memo 4/05 <http://www.mass.gov/anf/docs/hrd/policies/files/sexhar-wk-dom-vio.doc>

Policy <http://www.mass.gov/anf/docs/hrd/policies/files/pol-sexhar-pol.rtf>

State Ethics Commission

Website: <http://www.mass.gov/ethics>

Political Activity Advisory <http://www.mass.gov/ethics/adv4.htm>

Ethics Primer – Code of Conduct <http://www.mass.gov/ethics/education-and-training-resources/info-section-7/primers/state-primers/the-code-of-conduct.html>

Ethics Primer – Giving Gifts and Gratuities

<http://www.mass.gov/ethics/education-and-training-resources/info-section-7/primers/state-primers/giving-gifts-and-gratuities.html>

Nepotism Advisory

<http://www.mass.gov/ethics/education-and-training-resources/info-section-7/advisories/advisory-86-02-nepotism.html>

Online training for employees [http://db.state.ma.us/ethics/quiz\\_MEthics/index.asp](http://db.state.ma.us/ethics/quiz_MEthics/index.asp)

State Retirement Board

<http://www.mass.gov/treasury/srb.htm>

Time and Attendance Policy

<http://www.mass.gov/anf/docs/hrd/policies/files/time-attendance-policy.doc>

Union contracts – see also links in [Appendix VI](#)

[www.hrd.state.ma.us](http://www.hrd.state.ma.us) – see Manage Workforce > Rules and Guidelines > Collective Bargaining

US Department of Labor

[www.dol.gov](http://www.dol.gov)

## **Appendix VI:** **List of Collective Bargaining Agreements**

### **Unit 1 Clerical and Administrative:**

#### **National Association of Government Employees (NAGE)**

Administrative Secretary, Clerk, EDP Control Clerk, Job Services Representative, Job Specialist, Typist

Implementation memo 7/1/09 to 6/30/12

[http://www.hrd.state.ma.us/agency\\_services/AS\\_Manage\\_Workforce/Rules\\_and\\_Guidelines/Collective\\_Bargaining/imp\\_memo/NAGE\\_IM\\_2009\\_2012\\_Non\\_Economics.doc](http://www.hrd.state.ma.us/agency_services/AS_Manage_Workforce/Rules_and_Guidelines/Collective_Bargaining/imp_memo/NAGE_IM_2009_2012_Non_Economics.doc)

Implementation memo on classification pool salary increases 5/2/08

[http://www.hrd.state.ma.us/agency\\_services/AS\\_Manage\\_Workforce/Rules\\_and\\_Guidelines/Collective\\_Bargaining/imp\\_memo/nage\\_reclass\\_im\\_2007.doc](http://www.hrd.state.ma.us/agency_services/AS_Manage_Workforce/Rules_and_Guidelines/Collective_Bargaining/imp_memo/nage_reclass_im_2007.doc)

Implementation memo 7/1/07 to 6/30/08

[http://www.hrd.state.ma.us/agency\\_services/AS\\_Manage\\_Workforce/Rules\\_and\\_Guidelines/Collective\\_Bargaining/imp\\_memo/u136\\_nage\\_full\\_im\\_07\\_08.doc](http://www.hrd.state.ma.us/agency_services/AS_Manage_Workforce/Rules_and_Guidelines/Collective_Bargaining/imp_memo/u136_nage_full_im_07_08.doc)

Implementation memo 7/1/06 – 6/30/07

[http://www.hrd.state.ma.us/agency\\_services/AS\\_Manage\\_Workforce/Rules\\_and\\_Guidelines/Collective\\_Bargaining/nage\\_imp\\_memo\\_july06\\_june07.doc](http://www.hrd.state.ma.us/agency_services/AS_Manage_Workforce/Rules_and_Guidelines/Collective_Bargaining/nage_imp_memo_july06_june07.doc)

Salary chart

[http://www.hrd.state.ma.us/agency\\_services/AS\\_Manage\\_Workforce/Rules\\_and\\_Guidelines/Collective\\_Bargaining/cba/oer\\_unit1\\_salchrt.xls](http://www.hrd.state.ma.us/agency_services/AS_Manage_Workforce/Rules_and_Guidelines/Collective_Bargaining/cba/oer_unit1_salchrt.xls) through 7/8/07

Union contract

[http://www.hrd.state.ma.us/agency\\_services/AS\\_Manage\\_Workforce/Rules\\_and\\_Guidelines/Collective\\_Bargaining/cba/oer\\_unit1\\_cba.pdf](http://www.hrd.state.ma.us/agency_services/AS_Manage_Workforce/Rules_and_Guidelines/Collective_Bargaining/cba/oer_unit1_cba.pdf)

### **Unit 2 Service and Institutional:**

#### **ALLIANCE, AFSCME-SEIU, AFL-CIO**

*Facility Service Worker, Laborer, Licensed Practical Nurse, Mental Health Worker, Developmental Disability Worker, Nursing Assistant, Youth Services Group Worker*

Memorandum of Understanding 7/1/09 – 6/30/12

[http://www.hrd.state.ma.us/agency\\_services/AS\\_Manage\\_Workforce/Rules\\_and\\_Guidelines/Collective\\_Bargaining/bu2/Unit\\_2\\_MOU.doc](http://www.hrd.state.ma.us/agency_services/AS_Manage_Workforce/Rules_and_Guidelines/Collective_Bargaining/bu2/Unit_2_MOU.doc)

Implementation memos 7/1/07 – 6/30/08

[http://www.hrd.state.ma.us/agency\\_services/AS\\_Manage\\_Workforce/Rules\\_and\\_Guidelines/Collective\\_Bargaining/imp\\_memo/u2\\_alliance cola im 07\\_08.doc](http://www.hrd.state.ma.us/agency_services/AS_Manage_Workforce/Rules_and_Guidelines/Collective_Bargaining/imp_memo/u2_alliance cola im 07_08.doc)

[http://www.hrd.state.ma.us/agency\\_services/AS\\_Manage\\_Workforce/Rules\\_and\\_Guidelines/Collective\\_Bargaining/imp\\_memo/Alliance%20Retro%20IM%2007-08.doc](http://www.hrd.state.ma.us/agency_services/AS_Manage_Workforce/Rules_and_Guidelines/Collective_Bargaining/imp_memo/Alliance%20Retro%20IM%2007-08.doc)

Implementation memo 7/1/06 – 6/30/07

[http://www.hrd.state.ma.us/agency\\_services/AS\\_Manage\\_Workforce/Rules\\_and\\_Guidelines/Collective\\_Bargaining/bu2/unit\\_2\\_impl\\_eco\\_provisions\\_2006\\_2007.doc](http://www.hrd.state.ma.us/agency_services/AS_Manage_Workforce/Rules_and_Guidelines/Collective_Bargaining/bu2/unit_2_impl_eco_provisions_2006_2007.doc)

Salary chart

[http://www.hrd.state.ma.us/agency\\_services/AS\\_Manage\\_Workforce/Rules\\_and\\_Guidelines/Collective\\_Bargaining/cba/oer\\_unit2\\_salchrt.xls#July06!A1](http://www.hrd.state.ma.us/agency_services/AS_Manage_Workforce/Rules_and_Guidelines/Collective_Bargaining/cba/oer_unit2_salchrt.xls#July06!A1)

Union contract

[http://www.hrd.state.ma.us/agency\\_services/AS\\_Manage\\_Workforce/Rules\\_and\\_Guidelines/Collective\\_Bargaining/bu2/final\\_unit\\_2\\_cba\\_tracked.doc](http://www.hrd.state.ma.us/agency_services/AS_Manage_Workforce/Rules_and_Guidelines/Collective_Bargaining/bu2/final_unit_2_cba_tracked.doc)

### **Unit 3 Skilled Trades:**

#### **National Association of Government Employees (NAGE)**

*Carpenter, Electrician, Maintenance Equipment Operator, Maintenance Working Foreman, Painter, Steam Fireman, 3<sup>rd</sup> Class Power Plant Engineer*

Implementation memo 7/1/09 to 6/30/12

[http://www.hrd.state.ma.us/agency\\_services/AS\\_Manage\\_Workforce/Rules\\_and\\_Guidelines/Collective\\_Bargaining/imp\\_memo/NAGE\\_IM\\_2009\\_2012\\_Non\\_Economics.doc](http://www.hrd.state.ma.us/agency_services/AS_Manage_Workforce/Rules_and_Guidelines/Collective_Bargaining/imp_memo/NAGE_IM_2009_2012_Non_Economics.doc)

Implementation memo on classification pool salary increases 5/2/08

[http://www.hrd.state.ma.us/agency\\_services/AS\\_Manage\\_Workforce/Rules\\_and\\_Guidelines/Collective\\_Bargaining/imp\\_memo/nage\\_reclass\\_im\\_2007.doc](http://www.hrd.state.ma.us/agency_services/AS_Manage_Workforce/Rules_and_Guidelines/Collective_Bargaining/imp_memo/nage_reclass_im_2007.doc)

Implementation memo 7/1/07 to 6/30/08

[http://www.hrd.state.ma.us/agency\\_services/AS\\_Manage\\_Workforce/Rules\\_and\\_Guidelines/Collective\\_Bargaining/imp\\_memo/u136\\_nage\\_full\\_im\\_07\\_08.doc](http://www.hrd.state.ma.us/agency_services/AS_Manage_Workforce/Rules_and_Guidelines/Collective_Bargaining/imp_memo/u136_nage_full_im_07_08.doc)

#### **Implementation memo 7/1/06 – 6/30/07**

[http://www.hrd.state.ma.us/agency\\_services/AS\\_Manage\\_Workforce/Rules\\_and\\_Guidelines/Collective\\_Bargaining/nage\\_imp\\_memo\\_july06\\_june07.doc](http://www.hrd.state.ma.us/agency_services/AS_Manage_Workforce/Rules_and_Guidelines/Collective_Bargaining/nage_imp_memo_july06_june07.doc)

Salary chart

[http://www.hrd.state.ma.us/agency\\_services/AS\\_Manage\\_Workforce/Rules\\_and\\_Guidelines/Collective\\_Bargaining/cba/oer\\_unit3\\_salchrt.xls](http://www.hrd.state.ma.us/agency_services/AS_Manage_Workforce/Rules_and_Guidelines/Collective_Bargaining/cba/oer_unit3_salchrt.xls)

Union contract

[http://www.hrd.state.ma.us/agency\\_services/AS\\_Manage\\_Workforce/Rules\\_and\\_Guidelines/Collective\\_Bargaining/cba/oer\\_unit3\\_cba.pdf](http://www.hrd.state.ma.us/agency_services/AS_Manage_Workforce/Rules_and_Guidelines/Collective_Bargaining/cba/oer_unit3_cba.pdf)

**Unit 4 Correction Officers:**

**Massachusetts Correction Officers Federated Union (MCOFU)**

*Correction Officer, Industrial Instructor, Recreation Officer*

**Implementation memos 7/1/05 – 6/30/08**

[http://www.hrd.state.ma.us/agency\\_services/AS\\_Manage\\_Workforce/Rules\\_and\\_Guidelines/Collective\\_Bargaining/imp\\_memo/u4\\_mcofu cola\\_im\\_07\\_08.doc](http://www.hrd.state.ma.us/agency_services/AS_Manage_Workforce/Rules_and_Guidelines/Collective_Bargaining/imp_memo/u4_mcofu cola_im_07_08.doc)

[http://www.hrd.state.ma.us/agency\\_services/AS\\_Manage\\_Workforce/Rules\\_and\\_Guidelines/Collective\\_Bargaining/imp\\_memo/MCOFU%20Retro%20IM%2007-08.doc](http://www.hrd.state.ma.us/agency_services/AS_Manage_Workforce/Rules_and_Guidelines/Collective_Bargaining/imp_memo/MCOFU%20Retro%20IM%2007-08.doc)

Union contract

[http://www.hrd.state.ma.us/agency\\_services/AS\\_Manage\\_Workforce/Rules\\_and\\_Guidelines/Collective\\_Bargaining/bu4/TableofContents\\_MCOFU01\\_03.doc](http://www.hrd.state.ma.us/agency_services/AS_Manage_Workforce/Rules_and_Guidelines/Collective_Bargaining/bu4/TableofContents_MCOFU01_03.doc)

[http://www.hrd.state.ma.us/agency\\_services/AS\\_Manage\\_Workforce/Rules\\_and\\_Guidelines/Collective\\_Bargaining/cba/oer\\_unit4\\_salchrt.xls](http://www.hrd.state.ma.us/agency_services/AS_Manage_Workforce/Rules_and_Guidelines/Collective_Bargaining/cba/oer_unit4_salchrt.xls)

**Unit 4A Correction Captains:**

**International Brotherhood of Correctional Officers/National Association of Government Employees (IBCO/NAGE)**

*Correction Captain*

[http://www.hrd.state.ma.us/agency\\_services/AS\\_Manage\\_Workforce/Rules\\_and\\_Guidelines/Collective\\_Bargaining/bu4a/BU4ATableofContents.doc](http://www.hrd.state.ma.us/agency_services/AS_Manage_Workforce/Rules_and_Guidelines/Collective_Bargaining/bu4a/BU4ATableofContents.doc)

[http://www.hrd.state.ma.us/agency\\_services/AS\\_Manage\\_Workforce/Rules\\_and\\_Guidelines/Collective\\_Bargaining/cba/oer\\_unit4a\\_salchrt.xls](http://www.hrd.state.ma.us/agency_services/AS_Manage_Workforce/Rules_and_Guidelines/Collective_Bargaining/cba/oer_unit4a_salchrt.xls)

**Unit 5 Investigators:**

**Coalition of Public Safety (COPS)**

*Environmental Police Officer, Parole Officer, Special Investigator*

Implementation Memo 7/1/04 – 6/30/07 and 7/1/07 – 6/30/09

[http://www.hrd.state.ma.us/agency\\_services/AS\\_Manage\\_Workforce/Rules\\_and\\_Guidelines/Collective\\_Bargaining/imp\\_memo/u5\\_COPS\\_IM\\_2004\\_2009.doc](http://www.hrd.state.ma.us/agency_services/AS_Manage_Workforce/Rules_and_Guidelines/Collective_Bargaining/imp_memo/u5_COPS_IM_2004_2009.doc)

[http://www.hrd.state.ma.us/agency\\_services/AS\\_Manage\\_Workforce/Rules\\_and\\_Guidelines/Collective\\_Bargaining/cba/oer\\_unit5\\_cba.pdf](http://www.hrd.state.ma.us/agency_services/AS_Manage_Workforce/Rules_and_Guidelines/Collective_Bargaining/cba/oer_unit5_cba.pdf) Through 6/30/09

[http://www.hrd.state.ma.us/agency\\_services/AS\\_Manage\\_Workforce/Rules\\_and\\_Guidelines/Collective\\_Bargaining/cba/oer\\_unit5\\_salchrt.xls](http://www.hrd.state.ma.us/agency_services/AS_Manage_Workforce/Rules_and_Guidelines/Collective_Bargaining/cba/oer_unit5_salchrt.xls)

**Unit 5A State Police:**

**State Police Association of Massachusetts (SPAM)**

*Trooper, Trooper First Class, Sergeant*

[http://www.hrd.state.ma.us/agency\\_services/AS\\_Manage\\_Workforce/Rules\\_and\\_Guidelines/Collective\\_Bargaining/bu5a/Bargaining\\_Unit\\_5A\\_TOC.doc](http://www.hrd.state.ma.us/agency_services/AS_Manage_Workforce/Rules_and_Guidelines/Collective_Bargaining/bu5a/Bargaining_Unit_5A_TOC.doc)

[http://www.hrd.state.ma.us/agency\\_services/AS\\_Manage\\_Workforce/Rules\\_and\\_Guidelines/Collective\\_Bargaining/cba/oer\\_unit5a\\_salchrt.xls](http://www.hrd.state.ma.us/agency_services/AS_Manage_Workforce/Rules_and_Guidelines/Collective_Bargaining/cba/oer_unit5a_salchrt.xls)

**Unit 6 Professionals:**

**National Association of Government Employees (NAGE)**

*Accountant, Administrative Assistant, Compliance Officer, Contract Specialist Counsel, EDP Systems Analyst, Program Coordinator, Systems Programmer/Systems Supervisor, Tax Auditor, Tax Examiner*

Implementation memo 7/1/09 to 6/30/12

[http://www.hrd.state.ma.us/agency\\_services/AS\\_Manage\\_Workforce/Rules\\_and\\_Guidelines/Collective\\_Bargaining/imp\\_memo/NAGE\\_IM\\_2009\\_2012\\_Non\\_Economics.doc](http://www.hrd.state.ma.us/agency_services/AS_Manage_Workforce/Rules_and_Guidelines/Collective_Bargaining/imp_memo/NAGE_IM_2009_2012_Non_Economics.doc)

Implementation memo on classification pool salary increases 5/2/08

[http://www.hrd.state.ma.us/agency\\_services/AS\\_Manage\\_Workforce/Rules\\_and\\_Guidelines/Collective\\_Bargaining/imp\\_memo/nage\\_reclass\\_im\\_2007.doc](http://www.hrd.state.ma.us/agency_services/AS_Manage_Workforce/Rules_and_Guidelines/Collective_Bargaining/imp_memo/nage_reclass_im_2007.doc)

Implementation memo 7/1/07 to 6/30/08

[http://www.hrd.state.ma.us/agency\\_services/AS\\_Manage\\_Workforce/Rules\\_and\\_Guidelines/Collective\\_Bargaining/imp\\_memo/u136\\_nage\\_full\\_im\\_07\\_08.doc](http://www.hrd.state.ma.us/agency_services/AS_Manage_Workforce/Rules_and_Guidelines/Collective_Bargaining/imp_memo/u136_nage_full_im_07_08.doc)

Implementation memo 7/1/06 – 6/30/07

[http://www.hrd.state.ma.us/agency\\_services/AS\\_Manage\\_Workforce/Rules\\_and\\_Guidelines/Collective\\_Bargaining/nage\\_imp\\_memo\\_july06\\_june07.doc](http://www.hrd.state.ma.us/agency_services/AS_Manage_Workforce/Rules_and_Guidelines/Collective_Bargaining/nage_imp_memo_july06_june07.doc)

Salary chart

[http://www.hrd.state.ma.us/agency\\_services/AS\\_Manage\\_Workforce/Rules\\_and\\_Guidelines/Collective\\_Bargaining/cba/oer\\_unit6\\_salchrt.xls](http://www.hrd.state.ma.us/agency_services/AS_Manage_Workforce/Rules_and_Guidelines/Collective_Bargaining/cba/oer_unit6_salchrt.xls)

Union contract

[http://www.hrd.state.ma.us/agency\\_services/AS\\_Manage\\_Workforce/Rules\\_and\\_Guidelines/Collective\\_Bargaining/cba/oer\\_unit6\\_cba.pdf](http://www.hrd.state.ma.us/agency_services/AS_Manage_Workforce/Rules_and_Guidelines/Collective_Bargaining/cba/oer_unit6_cba.pdf)

**Unit 7 Professional Health Care:**

**Massachusetts Nurses Association State Chapter of Health Care Professionals (MNA)**

*Health Care Facility Inspector, Nurse Practitioner, Occupational Therapist, Physician, Psychologist, Registered Nurse*

Implementation Memo 1/1/08 – 12/31/08

[http://www.hrd.state.ma.us/agency\\_services/AS\\_Manage\\_Workforce/Rules\\_and\\_Guidelines/Collective\\_Bargaining/MNA\\_Jan\\_08\\_Dec\\_08\\_IM\\_Memo.doc](http://www.hrd.state.ma.us/agency_services/AS_Manage_Workforce/Rules_and_Guidelines/Collective_Bargaining/MNA_Jan_08_Dec_08_IM_Memo.doc)

Salary chart

[http://www.hrd.state.ma.us/agency\\_services/AS\\_Manage\\_Workforce/Rules\\_and\\_Guidelines/Collective\\_Bargaining/cba/oer\\_unit7\\_salchrt.xls](http://www.hrd.state.ma.us/agency_services/AS_Manage_Workforce/Rules_and_Guidelines/Collective_Bargaining/cba/oer_unit7_salchrt.xls)

Attachment A salary chart

[http://www.hrd.state.ma.us/agency\\_services/AS\\_Manage\\_Workforce/Rules\\_and\\_Guidelines/Collective\\_Bargaining/cba/oer\\_unit7\\_salchrt\\_att.xls](http://www.hrd.state.ma.us/agency_services/AS_Manage_Workforce/Rules_and_Guidelines/Collective_Bargaining/cba/oer_unit7_salchrt_att.xls)

Physicians and Psychiatrists (Board-Certified)

[http://www.hrd.state.ma.us/agency\\_services/AS\\_Manage\\_Workforce/Rules\\_and\\_Guidelines/Collective\\_Bargaining/cba/oer\\_unit7\\_salchrt\\_pp.xls](http://www.hrd.state.ma.us/agency_services/AS_Manage_Workforce/Rules_and_Guidelines/Collective_Bargaining/cba/oer_unit7_salchrt_pp.xls)

Union contract

[http://www.hrd.state.ma.us/agency\\_services/AS\\_Manage\\_Workforce/Rules\\_and\\_Guidelines/Collective\\_Bargaining/cba/oer\\_unit7\\_cba.pdf](http://www.hrd.state.ma.us/agency_services/AS_Manage_Workforce/Rules_and_Guidelines/Collective_Bargaining/cba/oer_unit7_cba.pdf)

**Unit 8 Social and Rehabilitative:**

ALLIANCE LOCAL 509 SEIU, AFL-CIO

*Benefit Eligibility and Referral Social Worker, Child Support Enforcement Specialist, Correctional Program Officer, Human Services Coordinator, Qualified Vocational Rehabilitation Counselor, Social Worker*

Implementation Memo 1/1/09 to 12/31/11

[http://www.hrd.state.ma.us/agency\\_services/AS\\_Manage\\_Workforce/Rules\\_and\\_Guidelines/Collective\\_Bargaining/bu8\\_10/Local\\_509\\_2009\\_2011\\_Non\\_Economics\\_IM.doc](http://www.hrd.state.ma.us/agency_services/AS_Manage_Workforce/Rules_and_Guidelines/Collective_Bargaining/bu8_10/Local_509_2009_2011_Non_Economics_IM.doc)

Memorandum of Understanding 1/1/09 to 12/31/11

[http://www.hrd.state.ma.us/agency\\_services/AS\\_Manage\\_Workforce/Rules\\_and\\_Guidelines/Collective\\_Bargaining/bu8\\_10/MOA\\_for\\_509\\_CBAs\\_2008\\_2009.doc](http://www.hrd.state.ma.us/agency_services/AS_Manage_Workforce/Rules_and_Guidelines/Collective_Bargaining/bu8_10/MOA_for_509_CBAs_2008_2009.doc)

Implementation memos 1/1/07 to 12/31/07

[http://www.hrd.state.ma.us/agency\\_services/AS\\_Manage\\_Workforce/Rules\\_and\\_Guidelines/Collective\\_Bargaining/imp\\_memo/u810\\_local\\_509 cola\\_im\\_07\\_08.doc](http://www.hrd.state.ma.us/agency_services/AS_Manage_Workforce/Rules_and_Guidelines/Collective_Bargaining/imp_memo/u810_local_509 cola_im_07_08.doc)

[http://www.hrd.state.ma.us/agency\\_services/AS\\_Manage\\_Workforce/Rules\\_and\\_Guidelines/Collective\\_Bargaining/imp\\_memo/Local%20509-%20%20Retro%20IM%2007-08.doc](http://www.hrd.state.ma.us/agency_services/AS_Manage_Workforce/Rules_and_Guidelines/Collective_Bargaining/imp_memo/Local%20509-%20%20Retro%20IM%2007-08.doc)

Salary chart

[http://www.hrd.state.ma.us/agency\\_services/AS\\_Manage\\_Workforce/Rules\\_and\\_Guidelines/Collective\\_Bargaining/cba/oer\\_units\\_8\\_10\\_salchrt.xls](http://www.hrd.state.ma.us/agency_services/AS_Manage_Workforce/Rules_and_Guidelines/Collective_Bargaining/cba/oer_units_8_10_salchrt.xls)

Union contract

[http://www.hrd.state.ma.us/agency\\_services/AS\\_Manage\\_Workforce/Rules\\_and\\_Guidelines/Collective\\_Bargaining/cba/oer\\_units\\_8\\_10\\_cba.pdf](http://www.hrd.state.ma.us/agency_services/AS_Manage_Workforce/Rules_and_Guidelines/Collective_Bargaining/cba/oer_units_8_10_cba.pdf)

**Unit 9 Engineers and Scientists:  
Massachusetts Organization of State Engineers and Scientists (MOSES)**

*Civil Engineer, Engineering Aide, Environmental Analyst, Environmental Engineer,  
General Construction Inspector, Regional Planner*

Implementation memos 7/1/09 to 6/30/12

[http://www.hrd.state.ma.us/agency\\_services/AS\\_Manage\\_Workforce/Rules\\_and\\_Guidelines/Collective\\_Bargaining/bu9/MOSES\\_2009\\_2012\\_Non\\_Economics\\_IM.doc](http://www.hrd.state.ma.us/agency_services/AS_Manage_Workforce/Rules_and_Guidelines/Collective_Bargaining/bu9/MOSES_2009_2012_Non_Economics_IM.doc)

[http://www.hrd.state.ma.us/agency\\_services/AS\\_Manage\\_Workforce/Rules\\_and\\_Guidelines/Collective\\_Bargaining/bu9/u9\\_MOSES\\_signed.pdf](http://www.hrd.state.ma.us/agency_services/AS_Manage_Workforce/Rules_and_Guidelines/Collective_Bargaining/bu9/u9_MOSES_signed.pdf)

Implementation memos 7/1/07 – 6/30/08

[http://www.hrd.state.ma.us/agency\\_services/AS\\_Manage\\_Workforce/Rules\\_and\\_Guidelines/Collective\\_Bargaining/imp\\_memo/u9\\_moses\\_cola\\_im\\_07\\_08.doc](http://www.hrd.state.ma.us/agency_services/AS_Manage_Workforce/Rules_and_Guidelines/Collective_Bargaining/imp_memo/u9_moses_cola_im_07_08.doc)

[http://www.hrd.state.ma.us/agency\\_services/AS\\_Manage\\_Workforce/Rules\\_and\\_Guidelines/Collective\\_Bargaining/imp\\_memo/MOSES%20Retro%20IM%2007-08%20\(5\).doc](http://www.hrd.state.ma.us/agency_services/AS_Manage_Workforce/Rules_and_Guidelines/Collective_Bargaining/imp_memo/MOSES%20Retro%20IM%2007-08%20(5).doc)

Implementation memo 7/1/06 – 6/30/07

[http://www.hrd.state.ma.us/agency\\_services/AS\\_Manage\\_Workforce/Rules\\_and\\_Guidelines/Collective\\_Bargaining/bu9/moses\\_imp\\_memo\\_july06\\_june07.doc](http://www.hrd.state.ma.us/agency_services/AS_Manage_Workforce/Rules_and_Guidelines/Collective_Bargaining/bu9/moses_imp_memo_july06_june07.doc)

Salary chart

[http://www.hrd.state.ma.us/agency\\_services/AS\\_Manage\\_Workforce/Rules\\_and\\_Guidelines/Collective\\_Bargaining/cba/oer\\_unit9\\_salchrt.xls](http://www.hrd.state.ma.us/agency_services/AS_Manage_Workforce/Rules_and_Guidelines/Collective_Bargaining/cba/oer_unit9_salchrt.xls)

Union contract

[http://www.hrd.state.ma.us/agency\\_services/AS\\_Manage\\_Workforce/Rules\\_and\\_Guidelines/Collective\\_Bargaining/cba/oer\\_unit9\\_cba.pdf](http://www.hrd.state.ma.us/agency_services/AS_Manage_Workforce/Rules_and_Guidelines/Collective_Bargaining/cba/oer_unit9_cba.pdf)

**Unit 10 Education:**

**ALLIANCE Local 509 SEIU, AFL-CIO**

Educational Specialist, Librarian, Teacher, Vocational Instructor

Implementation Memo 1/1/09 to 12/31/11

[http://www.hrd.state.ma.us/agency\\_services/AS\\_Manage\\_Workforce/Rules\\_and\\_Guidelines/Collective\\_Bargaining/bu8\\_10/Local\\_509\\_2009\\_2011\\_Non\\_Economics\\_IM.doc](http://www.hrd.state.ma.us/agency_services/AS_Manage_Workforce/Rules_and_Guidelines/Collective_Bargaining/bu8_10/Local_509_2009_2011_Non_Economics_IM.doc)

Memorandum of Understanding 1/1/09 to 12/31/11

[http://www.hrd.state.ma.us/agency\\_services/AS\\_Manage\\_Workforce/Rules\\_and\\_Guidelines/Collective\\_Bargaining/bu8\\_10/MOA\\_for\\_509\\_CBAs\\_2008\\_2009.doc](http://www.hrd.state.ma.us/agency_services/AS_Manage_Workforce/Rules_and_Guidelines/Collective_Bargaining/bu8_10/MOA_for_509_CBAs_2008_2009.doc)

Implementation memos 1/1/07 to 12/31/07

[http://www.hrd.state.ma.us/agency\\_services/AS\\_Manage\\_Workforce/Rules\\_and\\_Guidelines/Collective\\_Bargaining/imp\\_memo/u810\\_local\\_509 cola\\_im\\_07\\_08.doc](http://www.hrd.state.ma.us/agency_services/AS_Manage_Workforce/Rules_and_Guidelines/Collective_Bargaining/imp_memo/u810_local_509 cola_im_07_08.doc)

[http://www.hrd.state.ma.us/agency\\_services/AS\\_Manage\\_Workforce/Rules\\_and\\_Guidelines/Collective\\_Bargaining/imp\\_memo/Local%20509-%20%20Retro%20IM%2007-08.doc](http://www.hrd.state.ma.us/agency_services/AS_Manage_Workforce/Rules_and_Guidelines/Collective_Bargaining/imp_memo/Local%20509-%20%20Retro%20IM%2007-08.doc)

Salary chart

[http://www.hrd.state.ma.us/agency\\_services/AS\\_Manage\\_Workforce/Rules\\_and\\_Guidelines/Collective\\_Bargaining/cba/oer\\_units\\_8\\_10\\_salchrt.xls](http://www.hrd.state.ma.us/agency_services/AS_Manage_Workforce/Rules_and_Guidelines/Collective_Bargaining/cba/oer_units_8_10_salchrt.xls)

Union contract

[http://www.hrd.state.ma.us/agency\\_services/AS\\_Manage\\_Workforce/Rules\\_and\\_Guidelines/Collective\\_Bargaining/cba/oer\\_units\\_8\\_10\\_cba.pdf](http://www.hrd.state.ma.us/agency_services/AS_Manage_Workforce/Rules_and_Guidelines/Collective_Bargaining/cba/oer_units_8_10_cba.pdf)

## Appendix VII: Contact Information Sheet

### Key Names & Telephone Numbers To Assist During Transition/Orientation

CONTACT	NAME	TELEPHONE NUMBER
Human Resources Liaison		
Benefits Coordinator		
Payroll Director		
IT Support		

### OTHER IMPORTANT TELEPHONE NUMBERS FOR FUTURE REFERENCE

CONTACT	NAME	TELEPHONE NUMBER
Human Resources Director		
Diversity Officer		
Labor Relations Director		
Training Officer		
Budget Director		
Procurement Director		
Director of Operations/ Administration		
Press/Communications Officer		
FOIA/ Public Information Requests		
Legislative requests		

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