

Position Classification System Manual

For Use by

The Town of Winchendon

Community Paradigm Associates, LLC

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Position Classification System Manual

Introduction

A position classification system is a management tool designed to be fair to both the employee and the organization. It is a systemic process used to objectively evaluate the duties, responsibilities, complexity, and authority level of various positions. This system provides a consistent and objective method of assigning positions to appropriate grades within a hierarchical pay scale, thus establishing equity among positions in a municipality. Position classification systems are concerned only with the position and the job duties entailed, not with the individual holding the position.

Classification systems exhibit how different positions relate to one another within the organization and gauge their relative value to the organization. This position classification system manual allows management to place positions in the appropriate grade levels based upon twelve job-related factors and the points assigned within those factors for each position.

It should be noted that a level of human judgment is, and should be, used throughout the process of evaluating positions and assigning factor points. To ensure consistency and objectivity throughout the evaluation process, best practice calls for two or three individuals to separately evaluate positions, review the results, and reach a consensus.

The position classification system is expected to be a living document, evolving along with emerging technology, new positions, and new management initiatives. This system is a tool that can help to align employees with changes in the external environment and the internal municipal environment such that position equity, desired productivity levels, and high morale within the municipal work environment can be achieved.

Position Classification Evaluation Factors

The position classification system utilizes the twelve factors listed below in the evaluation of all included Winchendon positions.

1. Knowledge, Training, and Education
2. Level of Experience
3. Supervision Received
4. Supervision Given
5. Accountability
6. Judgment
7. Complexity of Position
8. Personal Contact/Interactions
9. Confidential Information
10. Occupational Hazards/Risks
11. Work Environment
12. Physical Demands

1. Knowledge, Training and Education

Degree 1 – Entry level, requires no or minimal special training or education. Basic knowledge needed for functioning in the work environment. Ability to operate basic equipment and perform routine tasks.

Degree 2 – Equivalent to high school education with ability to perform basic office/work functions, such as operate standard office equipment, follow rules and procedures, perform data entry, filing, basic bookkeeping. Entry-level knowledge of trade work or craft work. Demonstrated proficiency in applying basic reading, writing, and math skills.

Degree 3 – Equivalent to high school and additional training equal to one to two years of college. More advanced knowledge of office functions, standardized procedures, and specialized equipment. More advanced ability to perform specialized work such as payroll, billing, laboratory tests, use shop machinery, interpret testing results, and/or understand technical terminology.

Degree 4 – High level of specialized knowledge of a field, equivalent to a bachelor's degree curriculum, as well as general knowledge of related fields. Broad base of knowledge of related standard procedures, technical methods, organizational skills, and language and mathematical skills.

Degree 5 – Mastery of specialized knowledge of a field, theoretical or technical or both, equivalent to a master's degree curriculum. Solid broad base of knowledge of related standard procedures, technical methods, organizational skills, and language and mathematical skills. Skill and experience in applying knowledge to operations and procedures. Ability to plan, monitor and evaluate work of others, including employees and contractors.

Degree 6 – Mastery of specialized knowledge of a field, theoretical or technical or both, equivalent to a doctoral degree curriculum. Strong broad base of knowledge of related standard procedures, technical methods, organizational skills, and language and mathematical skills. Strong skill and experience in applying knowledge to operations and procedures. Supervisory/management positions require experience in hiring, firing, evaluating, training, mentoring, planning, and managing staff.

Degree 7 – Mastery of specialized knowledge of a field, theoretical or technical or both, equivalent to a doctoral degree curriculum or post-doctoral work. Strong broad base of knowledge of related standard procedures, technical methods, organizational skills, and language and mathematical skills. Extensive experience in applying knowledge and skills to operations and procedures. Management positions require extensive experience in hiring, firing, evaluating, training, mentoring, planning, and managing staff.

2. Level of Experience

Degree 1 – No experience and up to one year of experience in similar position or position involving similar duties and/or requiring similar skills.

Degree 2 – Minimum one year and up to three years of experience in similar position or position involving similar duties and/or requiring similar skills. Ability to perform duties assigned and to use standard equipment.

Degree 3 – Minimum of three years and up to five years of experience in similar position or position involving similar duties and/or requiring similar skills.

Degree 4 – Minimum of five years and up to seven years of experience in similar position or position involving similar duties and/or requiring similar skills.

Degree 5 – Minimum of seven years and up to 10 years of experience in similar position or position involving similar duties and/or requiring similar skills.

Degree 6 – Minimum of 10 years and up to 15 years of experience in similar position or position involving similar duties and/or requiring similar skills. Significant experience and mastery of a professional field. Solid understanding of theoretical and practical application of field.

Degree 7 – Minimum of 15 years of experience and beyond in similar position or position involving similar duties and/or requiring similar skills. Extensive experience and full mastery of a professional field. Thorough understanding of theoretical and practical application of field.

3. Supervision Received/Required

Degree 1 – Direct supervision throughout shift while performing daily job duties. Follows supervision and instructions as received. There are standard daily and weekly functions within the position. Specific priorities, protocols, and deadlines are followed. Performs some routine duties on a regular schedule without specific direction. Employee is required to seek guidance and instruction before deviating from standard practice.

Degree 2 – Periodic/general direct supervision throughout shift while performing daily job duties. Routine assignments independently carried out. Specific assignment/direction periodically provided. Supervisor/manager provides specific instructions for new and unusual assignments. Employee expected to seek guidance and instructions from supervisor/manager before deviating from standard practice.

Degree 3 – General supervision of standard assignments and daily duties to be performed in position. Routine assignments independently carried out. Specific assignment/direction periodically provided. Ability to solve general problems and resolve unusual situations by using judgment, experience, and expertise. Expected to seek guidance and instructions from supervisor/manager as needed.

Degree 4 – General oversight and limited direct daily supervision of position. Routine assignments independently carried out. Specific assignment/direction occasionally provided. Ability to solve general problems and resolve unusual situations by using judgment, experience, and expertise. May seek guidance from supervisor/manager/director as needed for clarification or exception to accepted policies.

Degree 5 – No direct daily supervision of position; general oversight by supervisor/manager/director. Employee follows standard municipal policies and objectives, and has direct accountability for results. Strong ability to solve problems and resolve unusual situations by using judgment, experience, and expertise. May seek guidance from supervisor/manager/director if needed for clarification or exception to accepted policies.

Degree 6 – No direct daily supervision of position. Periodic check-ins with manager or director. Employee follows standard municipal policies and objectives, and has direct accountability for results. Strong ability to solve problems and resolve unusual situations by using judgment, experience, and expertise. Strong ability to resolve conflicts.

Degree 7 - Has authority over total operations under general directives and policies established by governing body. Seeks direction/guidance of governing body when required by law or as related to policy revision.

4. Supervision Exercised

Degree 1 – Employee has no formal supervisory duties. May train, assist, and occasionally direct subordinate and/or junior co-workers (or assist with such duties), but generally works alongside subordinate and/or junior employees.

Degree 2 – Trains, assigns, supervises the activities of a small number of employees. Participates in the hiring and performance reviews of specified employees. Not considered responsible for the quality of work of specified employees.

Degree 3 – Trains, assigns, supervises the activities of a moderate number of employees. Participates in the hiring and performance reviews of specified employees. Not considered responsible for the quality of work of specified employees.

OR

Trains, assigns, supervises, and is responsible for the activities and quality of work of a small number of employees. Assists in or is responsible for the hiring and performance reviews of specified employees.

Degree 4 – Trains, assigns, supervises the activities of a large number of employees. Participates in the hiring and performance reviews of specified employees. Not considered responsible for the quality of work of specified employees.

OR

Trains, assigns, supervises, and is responsible for the activities and quality of work of a moderate number of employees. Assists in or is responsible for the hiring and performance reviews of specified employees.

Degree 5 – Trains, assigns, supervises, and has mid-level supervisory responsibility for the activities and quality of work of a large number of employees. Responsible for the hiring and performance reviews of employees.

Degree 6 – Has supervisory/managerial accountability for a large department or division, including direct supervision of supervisors/managers/directors who also have supervisory duties in their departments. Responsible for the hiring, termination, and performance reviews of employees.

Degree 7 – Has managerial accountability for entire municipal operation, including managerial supervision of managers/directors who also have managerial accountability for their divisions. Responsible for the hiring, termination, and performance reviews of employees.

5. Accountability

Degree 1 – Errors in work can be easily detected by employee and co-workers. Errors can result in minimal time and expense for correction, minor confusion. There is little to no opportunity for significant loss or damage.

Degree 2 – Errors in work are typically detected in subsequent operations. Errors can result in missed deadlines, delay of service, financial losses due to waste of time and materials, damage to public relations and/or image, damage to buildings and/or equipment, and personal injuries.

Degree 3 – Errors in work may be detected in subsequent operations. Errors can result in missed deadlines, delay of service, financial losses due to waste of time and materials, damage to public relations and/or image, damage to buildings and/or equipment, personal injuries. Errors in supervisory work can result in damage to public relations and/or image, financial losses due to waste of time and materials, low morale, filed grievances, and resignation of personnel.

Degree 4 – Errors in work can be difficult to detect, often occurring in data, analysis, recommendations, or techniques. Errors can result in financial losses, damage to public relations and/or image, legal repercussions, delay of service, excessive costs, missed deadlines, and resignation of personnel.

Degree 5 – Errors in work can impact entire departments and include analytic processes, technical processes, service delivery, fiscal responsibility, and/or utilization of equipment, structures, and/or personnel. Errors in work can be difficult to detect and can result in financial losses, damage to public relations and/or image, legal repercussions, delay of service, excessive cost, missed deadlines, and resignation of personnel.

Degree 6 – Errors in work can impact entire divisions and include analytic processes, technical processes, service delivery, fiscal responsibility, and/or utilization of equipment, structures, and/or personnel. Errors in work can be difficult to detect and can result in significant financial losses, damage to public relations and/or image, legal repercussions, delay or loss of service, excessive costs, adverse impact on municipal functions, and resignations of personnel.

Degree 7 – Errors in work can impact management and operations of entire municipal organization. Errors can result in adverse impact on municipal functions, significant financial losses, substantial damage to public relations and/or image, legal repercussions, delay or loss of service, excessive costs, and resignation of personnel.

6. Judgment

Degree 1 – Little Judgment. Position involves understanding and following simple instructions and use of basic equipment involving few decisions. There is limited use of judgment in selecting the appropriate procedures and practices to follow, and in interpreting and applying policies, procedures, and practices. Use of judgment has limited impact on operations.

Degree 2 – Some Judgment. Position involves repetitive or routine duties working from detailed instructions and under standard procedures. There is periodic to regular use of judgment in selecting the appropriate procedures and practices to follow, and in interpreting and applying policies, procedures, and practices. Use of judgment may have short- to long-term impact on function and/or operation.

Degree 3 – Standard Judgment. Position involves the ability to plan and perform a sequence of operations where standard or recognized operation methods are available, and the making of general decisions as to quality, tolerances, and operation. There is regular use of judgment in examining, analyzing, and evaluating data, facts, and circumstances related to problems, transactions and/or situations and then determining appropriate actions to be taken.

Degree 4 – Considerable Judgment. Position involves use of considerable judgment to plan and perform work where only general instructions are available, and the making of decisions involving considerable initiative and ingenuity. Guidelines provide limited guidance for performing the work required. Requires ability to develop new or to adapt existing methods and approaches to deal with new requirements, improve operations, and/or to accomplish objectives.

Degree 5 – Extensive Judgment. Position plans and performs difficult work where only general methods are available. Position involves highly technical or complex projects, presents new and/or constantly changing problems, and requires outstanding judgment, ingenuity, and initiative in dealing with complex factors and situations. Requires ability to develop new methods and approaches to deal with new requirements, improve overall municipal operations, and/or to accomplish objectives.

7. Complexity of Position

Degree 1 – Position duties and work methodologies are clearly defined. Position includes routine and/or repetitive tasks and/or operations as well as little or no planning, or organizing of activities. Position involves basic language and mathematic skills.

Degree 2 – Position duties and work methodologies are clearly defined. Position requires minimal planning and organizing of activities. Routine is generally repetitive, following standard practices and procedures, but can be subject to interruptions, changes, or periodic requests that require minimal reorganization or reprioritization of activities. Position involves language, mathematic, and/or technical/vocation skills equivalent to a high school education.

Degree 3 – Position requires that work routines and methodologies are planned and organized to successfully complete well-defined assignments. Position requires the application of various concepts, methods, procedures, practices, and techniques equivalent to a post secondary-level education. Position requires the ability to gather, analyze and evaluate data and facts as part of decision-making process.

Degree 4 – Position requires that work routines and methodologies are planned and organized to complete moderately comprehensive assignments. Work involves employing varied principles, procedures, practices, concepts, and techniques. Position requires revising and reorganizing activities and priorities in response to changes in problems and situations. Position involves the application of a broad base of knowledge, often related to a specific skill such as business, technical, engineering, etc., to diverse problems and situations often requiring modification of standard operations, methods, analysis, and techniques.

Degree 5 – Position requires that work routines and methodologies are planned and organized to complete comprehensive assignments. Work involves employing varied principles, procedures, practices, concepts, and techniques. Position requires revising and reorganizing activities and priorities in response to changes in problems and situations. Position involves the application of specialized skills and knowledge to resolve diverse problems and situations often requiring modification of standard operations, methods, analysis, and techniques. Varied managerial duties include planning, organizing, evaluating, hiring, controlling, and coordinating department/division functions and personnel.

Degree 6 – Position requires the planning, organizing, administration, and evaluation of projects, programs, and personnel of department(s)/division(s). Work involves developing and employing varied principles, procedures, practices, concepts, and techniques. Position involves the application of specialized skills and knowledge to resolve diverse problems and situations often requiring modification of standard operations, methods, analysis, and techniques. Position plays a key role in project and program formulation, evaluation, and revision. High level of managerial and administrative skills are utilized.

Degree 7 – Position requires the planning, organizing, administration, and evaluation of projects, programs, and personnel of more than one division and/or entire organization. Work involves developing and employing varied principles, procedures, practices, concepts, and techniques. Position involves the application of advanced specialized knowledge and skills to a variety of diverse issues, situations and problems. Position plays a key role in project and program formulation, evaluation, and revision. Advanced level of managerial and administrative skills are utilized in dealing with major interdisciplinary issues, situations, and/or questions.

8. Personal Contact/Interactions

Degree 1 – Contacts are mainly with immediate co-workers and involve maintaining a good working relationship. Contacts are occasional to moderately frequent. Contacts mainly involve coordination of effort on shared assignments. Contacts with non co-workers are routine and brief, typically providing service and/or routine information. Basic courtesy is required.

Degree 2 – Contacts with immediate co-workers and non co-workers are frequent to constant. Contacts mainly involve coordination of effort on shared assignments. Contacts with non co-workers are routine and brief, typically providing service and/or routine information. Basic courtesy is required.

Degree 3 – Contacts with co-workers and non co-workers can be slightly more complex, and can occur on a limited or slightly more frequent basis. Contacts can involve relaying factual information and some discussion, interpretation, and/or explanation of regulations, guidelines, practices, policies, and/or procedures. May act as liaison to other departments, organizations, or individuals in coordinating projects and/or activities. May enforce standard regulations, guidelines, practices, policies, and/or procedures. Courtesy and tact are required.

Degree 4 – Contacts with co-workers and non co-workers can be moderately complex, and occur on a more frequent basis. Contacts involve assisting and advising others, relaying detailed factual information, discussion, interpretation, and/or explanation of regulations, guidelines, practices, policies, and/or procedures. May act as liaison to other departments, organizations, or individuals in coordinating projects and/or activities. May serve as spokesperson to media and public to communicate regulations, guidelines, policies, practices, procedures, and/or actions. May analyze and present information and make recommendations for actions to senior staff.

Degree 5 – Contacts with co-workers and non co-workers can be moderately complex and occur on a frequent basis. Contacts involve assisting, advising, and managing others, relaying detailed factual information, discussion, interpretation, and/or explanation of regulations, guidelines, practices, policies, and/or procedures. Gather, analyze, and present information and make recommendations for actions to senior staff. Negotiate and achieve compromises when objectives and opinions differ in order to achieve overall goals. Serve in key advisory role in interdepartmental and overall organization planning.

Degree 6 – Contacts with co-workers and non co-workers can be significantly complex and/or of a sensitive nature and occur on a frequent basis. Contacts involve assisting, advising, managing and directing others, relaying detailed factual information, discussion, interpretation, and/or explanation of regulations, guidelines, practices, policies, and/or procedures. Analyze and present information and make recommendations for actions to senior staff and/or policymakers. Negotiate and achieve compromises when objectives and opinion differ in order to achieve overall goals. Use an advanced level of

persuasion and perception. Serve in key advisory role in interdepartmental and overall organization planning.

Degree 7 – Contacts with co-workers and non co-workers are often significantly complex and/or of a sensitive nature and occur on a frequent basis. Contacts involve advising, managing and directing others, relaying factual information, discussion, interpretation, and/or explanation of regulations, guidelines, practices, policies, and/or procedures. Analyze and present information and make decisions and recommendations for actions to policymakers. Negotiate and achieve compromises when objectives and opinions differ in order to achieve overall goals. Use a highly advanced level of persuasion and perception.

9. Confidential Information

Degree 1 – Position includes no, or virtually no, access or dealings with confidential information. Position may include access and/or dealings with routine data, records, and public information.

Degree 2 – Position includes access to a limited amount of confidential information. Disclosure of confidential information would result in minimal disruption and/or damage. Position may include supervisory work, preparation and dealings with some confidential documents (such as employee evaluations).

Degree 3 – Position includes access to a moderate amount of confidential information. Position typically includes supervisory or managerial work, preparation and dealings with confidential documents and information, such as employee evaluations, employee personnel information, and department projects and/or plans. Disclosure of confidential information would have an adverse impact on employee morale and/or organization reputation, legal repercussions, and/or damage to public relations and/or image.

Degree 4 – Position includes access to a significant amount of confidential information. Position typically includes supervisory or managerial work, preparation and dealings with confidential documents and information, such as employee evaluations, employee personnel information, bid proposals, and department projects and/or plans. Position may include developing policies and procedures that have broad organizational impact. Disclosure of confidential information would have an adverse impact on employee morale and/or organization reputation, legal repercussions, and/or damage to public relations and/or image.

Degree 5 – Position includes access to a substantial amount of confidential information. Position includes directorial or chief administrative officer work, preparation and dealings with confidential documents and information, such as employee evaluations, employee personnel information, criminal investigations, bid proposals, negotiating positions, and department and town-wide projects and/or plans. Position includes developing policies and procedures that have broad organizational impact. Disclosure of confidential information would have an adverse impact on employee morale and/or organization reputation, legal repercussions, and/or damage to public relations and/or image.

10. Occupational Hazards/Risks

Degree 1 – Position is extremely unlikely to result in injury or offer potential for injury. Standard hazards/risks of trips, falls, contusions, etc. Position has little to no impact on the health and safety of others. Position typically is performed in an office environment with minimal travel.

Degree 2 – Position is unlikely to result in injury or offer potential for injury if safety rules and procedures are followed and appropriate safety equipment and clothing used. Position has little impact on the health and safety of others. Hazards/risks may include muscular strains and pulls, abrasions, contusions, minor scrapes, cuts, or burns.

Degree 3 – Position offers minimal exposure to risk of minor injuries when performing duties if safety rules and procedures are followed and appropriate safety equipment and clothing used. Position has minimal opportunity for impact on the health and safety of others. Hazards/risks may include muscular strains and pulls, abrasions, contusions, injuries to extremities, eye injury, burns from chemicals, steam or fire, and exposure to communicable diseases.

Degree 4 – Position offers moderate exposure to risk of injuries when performing duties if safety rules and procedures are followed and appropriate safety equipment and clothing used. Position has moderate opportunity for impact on the health and safety of others. Hazards/risks include muscular strains and pulls, abrasions, contusions, injuries to extremities, eye injury, burns from chemicals, steam or fire, and exposure to communicable diseases. Hazards/risks of the position include the possibility of incapacitating accident, injury, or health hazard.

Degree 5 – Position offers frequent exposure to risk of injuries when performing duties if safety rules and procedures are followed and appropriate safety equipment and clothing used. Position has frequent opportunity for impact on the health and safety of others. Hazards/risks include muscular strains and pulls, abrasions, contusions, injuries to extremities, eye injury, burns from chemicals, steam or fire, and exposure to communicable diseases. Hazards/risks of the position include the possibility of serious injury and could result in permanent disability, complete disability, or loss of life.

11. Work Environment

Degree 1 – Typical office conditions prevail. Work environment includes some distractions including office equipment, co-worker and customer/citizen noise and disruptions. Typical equipment in work area includes computers, telephones, copy machines, fax machines, radios, televisions, and/or other standard office equipment. There is no to minimal exposure to uncomfortable and/or hazardous conditions such as dirt, fumes, odors, heat, cold, dampness, dust, glare, vibration, poor ventilation, inadequate or excessive light, vibration, moving parts, heights, and confined spaces.

Degree 2 – Typical office or shop area conditions prevail. Work environment includes occasional or periodic outdoor work, occasionally during inclement weather and extreme weather. Work environment includes some distractions including office equipment, co-worker and customer/citizen noise and disruptions. Typical equipment in work area may include computers, telephones, copy machines, fax machines, radios, televisions, cleaning equipment, hand tools, and small power tools. There may be minimal to moderate exposure to uncomfortable and/or hazardous conditions such as dirt, fumes, odors, heat, cold, dampness, dust, glare, vibration, poor ventilation, inadequate or excessive light, vibration, moving parts, heights, and confined spaces.

Degree 3 – Typical shop area conditions prevail. Work environment typically includes outdoor work, which may occur during inclement weather and extreme weather conditions. Work environment includes distractions including shop equipment, co-worker, customer/citizen and vendor noise and disruption. Typical equipment in work area may include cleaning equipment, hand tools, power tools, motorized vehicles, computers, telephones, and other related equipment. There may be moderate to significant exposure to uncomfortable and/or hazardous conditions such as dirt, fumes, odors, heat, cold, dampness, dust, glare, vibration, poor ventilation, inadequate or excessive light, vibration, moving parts, heights, and confined spaces.

Degree 4 – Work is substantially performed outdoors including during inclement weather and extreme weather conditions. Work environment includes distractions including with co-worker, customer/citizen, vendor, and heavy equipment noise and disruption. The use of protective clothing is sometimes required. Work may involve response to emergency and stressful situations. Typical equipment may include cleaning equipment, hand tools, power tools, motorized vehicles, computers, telephones, and other related equipment. There can be substantial exposure to uncomfortable and/or hazardous conditions such as dirt, fumes, odors, heat, cold, dampness, dust, glare, vibration, poor ventilation, inadequate or excessive light, vibration, moving parts, heights, and confined spaces.

Degree 5 – Work is substantially performed outdoors including during inclement weather and extreme weather conditions. Work environment includes distractions including co-worker, customer/citizen, vendor, and heavy equipment noise and disruption. The use of protective clothing is often required. Work often involves response to emergency and stressful situations. Typical equipment may include cleaning equipment, hand tools, power tools, motorized vehicles, rescue equipment, computers, telephones, and other

related equipment. There can be extensive exposure to uncomfortable and/or hazardous conditions such as dirt, fumes, odors, heat, cold, dampness, dust, glare, vibration, poor ventilation, inadequate or excessive light, vibration, moving parts, heights, and confined spaces.

12. Physical Demands

Degree 1 – Position requires minimal physical effort, typically consisting of prolonged periods of standing, sitting, walking, and light handling/lifting of books, files, ledgers, documents, etc., of up to 15 pounds. Position requires the ability to use office equipment, such as computers, telephones, copy machines, calculators, etc.

Degree 2 – Position requires light physical effort, typically including continuous or prolonged periods of walking, standing, and/or stair climbing. Position may require agility, including the ability to walk over difficult terrain. May involve repetitive work, extensive use of computers, and/or frequent to extensive time spent driving. Occasional to frequent lifting/handling of books, files, ledgers, documents, etc., of up to 15 pounds. Infrequent to occasional lifting/handling of equipment, boxes of materials, etc., of up to 35 pounds.

Degree 3 – Position requires light to moderate physical effort and may include frequent handling, lifting, and/or carrying of equipment, boxes, and/or objects weighing up to 50 pounds. May include continuous or prolonged periods of walking, standing, climbing, crawling, carrying, pushing, and/or pulling. May involve repetitive work, extensive use of computers, equipment, power tools, hand tools, motorized vehicles, specialized equipment, and/or frequent or extensive time spent driving. Work may occasionally to frequently be performed in inclement or extreme weather conditions. Position requires agility, including the ability to walk over difficult terrain, heights, and in confined spaces.

Degree 4 – Position requires moderate to strenuous physical effort and may include frequent handling, lifting, carrying, and/or use of heavy equipment, boxes, and/or objects weighing up to 75 pounds. May include continuous or prolonged periods of walking, standing, climbing, crawling, carrying, pushing, and/or pulling. May involve repetitive work, extensive use of equipment, power tools, hand tools, motorized vehicles, specialized equipment, and/or frequent or extensive time spent driving. Work may be performed in inclement or extreme weather conditions. Position requires agility, including the ability to walk over difficult terrain, heights, and in confined spaces. Position requires ability to work during stressful/emergency situations and in stressful conditions.

Degree 5 – Position requires strenuous physical effort and endurance. Work may include frequent handling, lifting, carrying, and/or use of heavy equipment, boxes, and/or objects weighing up to 75 pounds. May include continuous or prolonged periods of walking, standing, climbing, crawling, carrying, pushing, and/or pulling. May involve repetitive work, extensive use of equipment, power tools, hand tools, motorized vehicles, specialized equipment, and/or frequent or extensive time spent driving. Work may be performed in inclement or extreme weather conditions. Position requires agility, including the ability to walk over difficult terrain, heights, and in confined spaces. Position requires ability to work during stressful/emergency situations and in stressful conditions.

Town of Winchendon

Development of Municipal Personnel System

May 2017

Community Paradigm Associates, LLC

Community Paradigm Associates, LLC

1 Saddleback
Plymouth, Massachusetts 02360

May 1, 2017

Mr. Keith Hickey, Town Manager
Town of Winchendon
109 Front Street
Winchendon, MA 01475

RE: Final Report-Winchendon Personnel System

Dear Mr. Hickey:

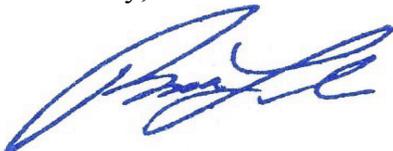
I am pleased to present this Personnel System Final Report, which transmits the elements of a personnel system for the Town of Winchendon in accordance with the scope of services outlined within the Community Paradigm Associates proposal dated May 16, 2016.

This project is funded through the Massachusetts Community Compact program which seeks to assist municipalities in identifying and implementing best practices in order to achieve efficiencies and effectiveness in management and operations, or capturing development and revenue enhancing opportunities. In this project the goal was to establish a modern personnel system for the Town of Winchendon, which was lacking such a system to manage the human resource components of the municipal organization.

The project consisted of a number of elements, which form the overall personnel system to be utilized by the Town. Each of these elements, which were delineated in the Town's RFP and the Community Paradigm proposal are detailed within this report. Included within the detailed description and rationale that underlies the project elements is a description of methodology utilized in completing the work required. Essential to the methodology has been regular communications with the Town throughout the project.

Thank you for the opportunity to work with the Town of Winchendon on this very important project that will improve the overall management and operations of the Town through the utilization of a modern and effective Personnel System.

Sincerely,



Bernard Lynch
Principal

WINCHENDON PERSONNEL SYSTEM

Project Elements

Organizational Chart

Two organizational charts have been developed and presented to the Town for review. The preparation of the charts was based upon local materials provided by the Town including the Town Charter, local by-laws, budget materials and annual reports. Additionally, the charts were reviewed with the Town upon completion to insure accuracy.

Chart #1 presents an overall picture of the relationships within the Town's administrative structure including the voters, the several elected officials including the Board of Selectmen as the chief elected executive board and their appointments of various committees, as well as the Town Accountant and Town Manager, and the departments that report to the Town Manager in his/her capacity as chief executive/administrative officer.

Chart #2 reflects the operational structure of the Town government under the jurisdiction of the Town Manager and the staffing of each department. Both organizational charts are included as *Exhibit A* of this Report.

Personnel Policies

The Town of Winchendon does not currently have a comprehensive set of personnel policies in the form of a by-law and/or administrative rules and regulations that provide an orderly and positive work environment, and minimize risk to the Town. A priority of this project was the development of such policies in the form of administrative Rules and Regulations to establish human resource systems and policies related to personnel management including internal administrative responsibilities, recruiting and hiring practices, employee conduct standards, discipline procedures, employee rights, compensation standards, employee benefits, and the types of leave and relevant procedures for utilization.

The Rules and Regulations are policy in nature and therefore prepared in a manner that provides for administrative adoption by the Board of Selectmen, and implementation by the Town Manager. The proposed Rules and Regulations have been provided electronically to the Town but are also attached to this report as *Exhibit B*.

Job Descriptions

An essential component of a personnel system are job descriptions that are current, concise and clear. These descriptions form the foundation of many processes that occur within a personnel system including required skills, abilities and qualifications, recruitment and job postings, hiring decisions, establishing work duties, responsibilities and performance expectations, compensation, training, and performance management. The modern job description also outlines any special work conditions or minimum physical requirements, which assist with compliance with the American with Disabilities Act (ADA). Effective job descriptions help with issues related to the Fair Labor Standards Act, workers compensation and unemployment claims by describing work conditions, essential responsibilities and expectations.

The Town's job descriptions were outdated, obsolete or missing. It appears that the last compilation of descriptions occurred in the early 1990's as part of a similar project that was conducted at that time. As such the few existing descriptions did not comply with ADA requirements or fully capture current qualifications or work responsibilities. The majority of current positions were lacking job descriptions.

All currently established employee positions within the Town, and several positions that are no longer utilized, had job descriptions developed as a component of this project. The job descriptions are consistent in format, and include a summary of the position, aspects related to supervision and reporting, description of work environment, essential functions, minimum qualifications, required education and experience, required knowledge, abilities and skills, and physical requirements. All prepared job descriptions were reviewed by the Town, through the Department Head or Town Manager as applicable.

The job descriptions form the basis of evaluating the positions for inclusion on the Town's position classification position which seeks to rate employees relative to all other employees for the purpose of establishing appropriate compensation levels. Such levels are designed to insure internal equity within the municipal organization.

The 81 completed job descriptions prepared as part of the project are contained with Exhibit C of this report which has been transmitted separately and electronically to the Town. A listing of the job descriptions prepared are listed in the following tables:

Current Positions

Accounting

- Town Accountant
- Assistant Town Accountant

Assessors

- Principal Assessor
- Clerical – Assessors Department

Conservation

- Conservation Agent (PT)

Council on Aging

- Council on Aging Director
- Nutrition Coordinator (PT)
- Food Service Manager (PT)
- Van Driver (PT)
- Janitor (PT)

Fire Department

- Fire Chief
- Fire Lieutenant
- Firefighter/Paramedic
- Firefighter
- Administrative Assistant to Fire Chief

Health Department

- Health Inspector (PT)
- Board of Health Recording Secretary

Land Use Department

- Building Inspector (PT)
- Electrical Inspector (PT)
- Land Use Clerk (PT)
- Plumbing/Gas Inspector (PT)

Library

- Director of Public Library
- Library Technician
- Assistant Library Technician

Planning and Development

- Community Development Director
- Grant Administrator
- Financial Manager
- Planning Agent
- Planning Board Recorder
- Zoning Board Recorder

Police Department

- Police Chief
- Police Lieutenant

- Police Sergeant
- Police Detective
- Police Patrol Officer
- Police Patrol Officer (PT)
- Police Department Custodian
- Public Safety Dispatcher
- Executive Assistant to Police Chief

Public Works Department

- Director of Public Works
- Cemetery Working Foreman
- Fleet Maintenance Mechanic
- Cemetery Laborer
- Executive Assistant to DPW Director
- DPW Laborer-Operator 1
- Chief Mechanic
- DPW Clerk
- Highway Working Foreman

Sewer Division

- Chief Wastewater Operator
- Wastewater Operator

Water Division

- Chief Water Operator
- Senior Water Operator
- Water Operator

Transfer Station Division

- Transfer Station Working Foreman

Technology

- Network Administrator (PT)

Town Clerk's Office

- Town Clerk
- Assistant Town Clerk

Town Hall

- Building Superintendent

Town Manager's Office

- Town Manager
- Executive Assistant to Town Manager
- Administrative Assistant

Treasurer/Collector's Office

- Treasurer/Collector
- Assistant Treasurer/Collector
- Treasurer/Collector Clerk/Secretary

Veteran's Office

- Veterans Agent (PT)

Other Positions

Council on Aging

- Dispatcher/Van Driver
- Van Driver/Clerk
- Meals on Wheels Coordinator
- Congregate Meals Coordinator

Fire Department

- Deputy Fire Chief
- Fire Captain
- Emergency Medical Technician

Health Department

- Health Agent (PT)
- Administrative Assistant – Health

Library

- Senior Library Technician

Planning and Development

- Planner (PT)

Police Department

- Administrative Dispatcher

Public Works Department

- DPW Laborer
- DPW Working Foreman

Sewer Division

- Sewer Administrative Assistant (PT)

Water Division

- Water Administrative Assistant (PT)

Salary Survey

A key element of the Personnel System project was a Salary Survey to review the external market competitiveness of for positions within Winchendon's governmental organization. The benchmark data gained through the completion of a salary survey is useful in insuring that the Town's salary levels are generally aligned with other municipalities in the economic market based upon geography and size in order to adequately retain or compete for employees, to insure fairness in the level of compensation, while simultaneously insuring that employees are not being paid at a level greater than is appropriate. A survey is also useful when conducted in tandem with the development of a job classification and compensation plan to test the placement of positions within a position rating/grading system.

While Salary surveys are a valuable tool, it is worth noting that there are limitations related to salary surveys that must be considered. First, similar job titles between communities do not necessarily have the same responsibilities or required qualifications. Secondly, as in this case, there can be a limited number of peer communities in an economic region. While there are similarly sized municipalities within the state, the economic conditions of the necessary cost of living can vary greatly. Finally, similar jobs in different communities, particularly in an economic region like Northern Worcester County can vary greatly in hours worked. This last weakness can be addressed through the conversion of information to the standard of compensation/per hour basis.

The comparable communities for this Winchendon Personnel project included the following communities:

- Athol
- Ashburnham
- Ayer
- Gardner
- Lunenburg
- Sterling
- Templeton
- Westminster

The data for the survey was obtained through an analysis of information provided by the Town through the Massachusetts Municipal Personnel Association Web-Based Compensation Survey, compensation plan information within the peer communities, or completed surveys to communities.

In order to facilitate consistency and comparison of the data the following adjustments were made in the presentation of the data:

- Data through the MMPA Survey collected included minimum and maximum salary information, which was converted to a midpoint salary
- Data collected through the MMPA survey or otherwise which indicated a specific salary was assumed to be a midpoint salary.
- All annual salary information was converted to an hourly wage based upon provided information to allow for consistent comparability.

The Salary Survey, as part of this Project, is designed to gain perspective on wage levels; not total compensation which would include other benefits, health insurance contribution levels, vacation leave, sick-time buyback, etc. Such an analysis would require a more involved compilation of information and survey work that exceeds the scope of services in this project.

The results of the salary survey are provided in Exhibit D of this Report.

Classification System

While a Salary Survey is utilized to assess and establish external equity relative to the broader labor market, the development of a Classification System establishes a structure of internal compensation equity. The system is based upon the establishment of a process to evaluate and grade positions based upon a rating system that uses the criteria of position characteristics, also known as factors..

The position factors used in the Classification System developed through this project include:

- Knowledge, Training, and Education
- Level of Experience
- Supervision Received
- Supervision Given
- Accountability
- Judgment
- Complexity of Position
- Personal Contact/Interactions
- Confidential Information
- Occupational Hazards/Risks
- Work Environment
- Physical Demands

Each of the position factors have a range of point values based upon the relative importance of the factor, and the degree to which the characteristic is present in the job being evaluated. The sum of all points for all factors then equals the comparative value of that job in relation to other jobs within the classification system.

The Town's positions were evaluated by reviewing the established job descriptions that were prepared through this project, against the established position factors to create a rank order and grouping of jobs with similar overall characteristics. These groupings, made by totaling position factor points, places similar positions within established grades set by rating point totals. The result of this process is internal equity among like positions within the Town.

A Classification System Manual included as Exhibit E of this report provides a detailed explanation of each of the position factors and the methodology to evaluate and rate positions.

A template form used to score positions based upon the criteria factors is included within the Manual. This form and the provided utilization process forms the basis of initial placement within an established wage chart but is designed for continued use by the Town in reviewing, re-evaluating and creating positions in the future. The classification of Winchendon's job titles, utilizing the methodology described in the Classification System Manual, is described in a chart that is included as *Exhibit F* of this report.

Wage Chart

A wage chart has been developed for utilization in implementing a compensation system. The wage chart reflects the intersection of the classification system, whereby a number of employment grades are established, and the salary survey, which provides market data on appropriate compensation levels. The wage chart has been generated to provide the adequate number of grades, and the appropriate steps within each grade so as to reflect minimum, mid-range and maximum rates of pay. The chart is also designed with suitable step increments and overlaps between grades. The Wage Chart is included as *Exhibit G* of the report.

Implementation Strategy

In general, the culmination of the classification and compensation aspect of a personnel system is the placement of positions on the appropriate grade level. In the case of implementing a system within an existing organization it is also necessary to determine the appropriate step within a grade as a new system is being layered over an existing work force. As such, careful implementation is required to insure that employees are generally receiving salaries comparable to that received before the new compensation system was created. In some cases there is a recommended increase in salary due to job analysis conducted under the classification process. In such cases there may be a phased-in approach to reaching the appropriate salary level. There are other cases in which existing positions are compensated above the appropriate grade and market conditions that have been determined through salary surveys. In these cases the positions can be "red circled" until market conditions catch up to those compensation levels.

The placement of Winchendon positions on the new Wage Chart, based upon job analysis and salary survey data is detailed in an Implementation Plan, which is included as Exhibit H of this report.

Conclusion

The Personnel System developed through this project provides the framework for a more effective and consistent management of the array of personnel issues that an organization like the Town of Winchendon encounters on a regular basis. The elements of the personnel system should be reviewed on a regular basis to determine the adequacy of policies and procedures, to consider any changes in law or regulation that affects the system elements, and to establish the currency of job descriptions and compensation levels.

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TOWN OF WINCHENDON



PERSONNEL RULES

AND

REGULATIONS

(Date)

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SECTION 1 - GENERAL PROVISIONS

1.1 GENERAL PROVISIONS

1.1- 1 Purpose and Authorization

The purpose of these personnel regulations is to establish a personnel system governing employment within the Town of Winchendon, which ensures that the recruitment, selection, and advancement of personnel shall be based on ability, knowledge, education, and skill under fair and open competition. The personnel system shall be administered without regard to race, color, religion, gender, national origin, political affiliation, age as defined by law, disability, sexual orientation or other non-merit factors and with proper regard for privacy and employee rights as provided under Title VII of the Civil Rights Act of 1964.

These rules and regulations are not intended, nor should be construed as a binding contract of employment, either expressed or implied, with the Town and the employee(s) who comes under the purview of the rules and regulations. Employees of the Town that are not otherwise covered by a collective bargaining agreement, an individual employment contract, or those that have civil service statutes are at-will employees, and the employment relationship between the Town and the employee may be terminated by either party, any time, with or without cause, and with or without notice.

These personnel regulations are adopted pursuant to the authority granted to the Board of Selectmen within by Section 3-2(b) of the Winchendon Home Rule Charter and shall be reviewed periodically.

1.1-2 Application

All Town agencies and positions shall be subject to the rules and regulations adopted under this section excluding employees of the school department except as otherwise provided by collective bargaining agreement.

No vendor, independent contractor, or consultant employed from time to time to provide limited services shall be entitled to any rights or benefits provided under these personnel rules and regulations.

1.1-3 Rules of Interpretation

These regulations are intended to be in accordance with all applicable state and federal laws. In the event that Town policies are inconsistent with the applicable state and federal law, the applicable law shall apply.

1.1-4 Definitions

The following definitions shall apply:

- a. "Appointing authority" shall mean the Town Manager and any board or official authorized by the Winchendon Home Rule Charter to appoint employees.
- b. "Anniversary date" shall mean the date on which the employee begins employment with the Town.
- c. "A temporary employee" shall mean an employee in the Town service holding an appointment of transitory nature not to exceed 1,040 hours in a calendar year. A temporary employee shall not be entitled to any benefits provided by the Town.
- d. "Department head" shall mean the officer in charge of a department's operations and activities.
- e. "Regular part-time employees" shall mean an employee scheduled to work less than a full-time employee provided, however, only part-time employees working 1,040 or more hours in a calendar year shall be eligible for holiday pay, sick leave, personal leave, bereavement leave, or other authorized leave of absence, such leaves shall be prorated in accordance with the number of hours an employee works on an average weekly basis.
- f. "Regular full-time employee" shall mean an employee scheduled to work not less than 1,820 hours in a calendar year less legal holidays and sick leave, personal leave, bereavement leave, jury duty, or other authorized leave of absences.
- g. "Retirement" shall mean an employee who leaves employment of the Town with (ten) 10 years of continuous creditable service and age fifty-five (55) years, or have twenty (20) years of continuous creditable service to be eligible for pension benefits.
- h. "Town" shall mean the Town of Winchendon.
- i. "Service" shall mean the period of continuous employment with the Town.
- j. "Creditable service" for retirement purposes, shall mean the total combined period of employment with the Town and other government agencies.
- k. "Non-exempt" (hourly) employee shall mean one who is covered by the provisions of the Fair Labor Standards Act (FLSA) and is subject to minimum wage and overtime provisions.
- l. "Exempt" (salaried) employee shall mean one who receives a specified salary, performs administrative, executive, professional, or outside sales work, and are therefore exempt from the Fair Labor Standards Act (FLSA).
- m. "Immediate family" shall mean employee and spouse, and their parents, children, brothers and sisters. For example, an employee's brother-in-law would be considered "immediate family" if he were the brother of the employee's spouse but not if he were married to the employee's sister.

1.2 ADMINISTRATION OF REGULATIONS

1.2-1 Town Manager is the Personnel Director

The Town Manager or a designee of the Town Manager shall be the Personnel Director. The Town Manager shall administer personnel rules and regulations in accordance with Section 4-2(d) of the Winchendon Home Rule Charter.

1.2-2 General Responsibilities of the Town Manager as Personnel Director

The Town Manager shall be responsible for the efficient administration of the Town's personnel system and shall be responsible for:

- a. Implementing personnel policies and regulations;
- b. Implementing classification and compensation plans;
- c. Enforcing provisions of the Personnel Rules and Regulations and nullifying any personnel action which does not comply with provision of these regulations;
- d. Managing disciplinary issues, with department heads and supervisors as required;
- e. Monitoring the effectiveness of personnel practices and policies, and
- f. Such other powers, duties and responsibilities as provided by these regulations.

1.2-3 Administrative Orders/Interpretation

The Town Manager may issue written administrative orders, which interpret these personnel regulations, or more fully explain any regulation. Any such administrative order shall have the force of these personnel regulations. Each administrative order shall be directed to department heads, numbered in sequence and a copy maintained in a file in the office of the Town Manager.

1.3 PERSONNEL RECORDS

1.3-1 Centralized System

The Town Manager shall be responsible for establishing and maintaining a centralized personnel records keeping system. The personnel records keeping system shall contain such records as may be required by law and as necessary for effective personnel management. All employees and department heads shall comply with and assist in the furnishing of records, reports, and information as may be requested by the Town Manager.

The Town Manager may establish written guidelines authorizing department heads to maintain specific or duplicate personnel records.

1.3-2 Contents of Records

The Town Manager shall maintain an individual personnel file for each employee, which may include, but is not limited to, the following:

- a. The employment application form
- b. A report of all personnel actions reflecting the original appointment, promotion, demotion, re-assignment, transfer, separation, or layoff
- c. A history of employment and correspondence directly related to the employee's past employment records, re-classification or change in the employee's rate of pay or position title, commendation, disciplinary action, training records; and
- d. Results of any performance appraisal, and other records that may be pertinent to the employee's employment records.

Any other records that are required to be maintained separately by law shall be maintained in accordance with such laws.

1.3-3 Confidentiality and Access to Records

Personnel records shall be considered confidential and access to records shall, unless circumstances dictate otherwise, be limited to the Town Manager, persons who have a need to know and are authorized by the Town Manager to administer the personnel system, and department heads. All employees may review their personnel file in the presence of the Town Manager or persons authorized by the Town Manager to administer the personnel system.

1.3-4 Centralization of Record Keeping System

Records shall be maintained in the office of the Town Manager, unless otherwise determined by the Town Manager. These centralized records shall be the official depositories of personnel records. The centralized records shall be maintained in a secure, fire-protected location.

1.3-5 Release of Records

No information concerning an employee, except to verify dates of employment, shall be released unless written authorization is received from the employee.

1.3-6 Forms and Reports

The Town Manager shall adopt standardized administrative forms and practices to insure proper maintenance of records. The Town Manager may request department heads to prepare special reports as deemed necessary.

SECTION 2 - PRE-EMPLOYMENT/EMPLOYMENT

2.1 RECRUITMENT AND APPOINTMENT

2.1-1 Recruitment Policy

The Town is an Equal Employment Opportunity/Affirmative Action employer.

Procedures relating to the recruitment and selection of employees shall be in accordance with the "Winchendon Affirmative Action Plan for Employment". The recruitment of employees shall also be in accordance with any appropriate civil service rules and regulations where civil service rules are applicable.

2.1-2 Eligibility

All qualified persons shall be eligible for employment with the Town, subject to any statutory requirements or limitations.

The conflict law prohibits elected and appointed public officials at the state, county, and municipal level from participating in particular matters in which their immediate family members have a financial interest. No person will be employed in a department, which has a member of his or her immediate family as another employee, or in a department which is governed by an appointing authority or elected official who is a member of his or her immediate family, without Town Manager approval.

2.1-3 Recruitment

The appointing authorities shall be responsible for the recruitment and selection of personnel. The qualifications, classification, and salary range for positions shall be established in accordance with the established classification and compensation plans.

Appointing authorities shall have the discretion to use all appropriate measures of recruiting personnel, including, but not limited to: use of employment agencies, employee referrals, use of trade, and other professional journals.

a. Notice of Vacancies

Department heads shall, upon the identification of a vacancy that needs to be filled or on the authorization of a new position, prepare a job vacancy notice on a form approved by the Town Manager. The job vacancy notice shall be based upon the existing job description and include: the job title, major duties of the position, qualifications, salary and wages, hours of work, reporting relationships, a proposed closing date for applications, and application instructions.

The Town Manager or a designee of the Town Manager shall review and approve all job vacancy notices prior to commencement of recruitment activities.

Department heads shall, within three (3) business days of any resignation, notify the Town Manager of any such resignation.

b. Posting

Notices of vacant positions shall be posted for five (5) working days in prominent work locations.

c. Advertisement of Job Vacancy

When necessary, job vacancy notices shall be made public. Job advertisements shall be accomplished in accordance with the Town's affirmative action plan for employment.

d. Applications

All candidates applying for employment in the Town shall complete and submit an official employment application form and/or a resume to the office of the Town Manager, or appropriate appointing authority, prior to the end of the working day of the closing date specified for the position announcement. All applicants invited for an interview must complete an official employment application form.

e. Examinations

The Town Manager or other appointing authority may require an examination as one part of the selection process. Examinations may be written, verbal, practical, physical, or any combination thereof and shall be relevant to the requirements of the position. If an examination is required, said examination should be uniformly administered to all eligible finalists. The Town Manager may negotiate altered or expanded civil service examination procedures with the Commonwealth's Human Resources Division.

f. References

The Town may contact a candidate's current and former employers, supervisors, and other references as part of the selection process with written permission. A candidate may be subject to a financial records check or Criminal Offender Record Information (CORI) check where applicable.

g. Application Records

The application and related documents submitted shall be maintained by the Town Manager in the employee's personnel file. The Town Manager shall maintain application records for the period required by law. The Town Manager, to the extent possible, shall maintain the confidentiality of all applications.

2.1-4 Offers of Employment

The Town Manager or other appointing authority shall make all offers of employment in writing. The written offer of employment shall include the salary on a bi-weekly or hourly basis, the starting date, and any unique or unusual conditions of employment.

2.1-5 Reasons for Rejection

The Town Manager or appointing authority may reject any candidate who does not possess the minimum qualifications required for the position or any application not filed by the announced closing date. Further, an application shall be rejected if the candidate made a false statement of any material fact or practiced any deception or fraud. Written notice of rejection shall be given to all unsuccessful candidates.

2.1-6 Failure to Report

A candidate who accepts an offer of employment and fails to report to work on the date set by the Town Manager or other appointing authority, shall, unless excused, be deemed to have declined the position and the offer of employment shall be withdrawn.

2.2 ORIENTATION/EVALUATION POLICY

2.2-1 Orientation and Evaluation Policy

Performance of all new and promoted employees must meet acceptable work standards. An evaluation period shall be utilized to help new and promoted employees achieve an effective performance level and to insure that new employees are aware of their duties and responsibilities. The Town shall inform new employees of their rights, responsibilities, duties, and obligations.

2.2-2 Orientations

- a. Office of the Town Manager
The Town Manager or a designee of the Town Manager shall conduct orientation sessions for all new employees upon employment for the purpose of providing information on the benefits, rights and obligations as an employee of the Town
- a. Department Heads
Department Heads shall provide on-site training and orientation regarding specific rules, regulations, policies and procedures of the employee's assigned department including the safety policies and procedures.

2.2-3 Probationary Period

The first six months of employment shall be a probationary period to begin immediately upon the employee's hire date. If needed, the Department Head may extend the probationary period an additional six months to fully review the employee's work

performance. The newly hired employee may receive a six-month performance review and will receive an annual performance review thereafter by the Department Head or direct manager. The completed performance review will be submitted to the Town Manager for signature and filed in the employee's personnel file.

2.3 TRANSFER, PROMOTION, DEMOTION, REINSTATEMENT, AND TERMINATION BY LAY-OFF

2.3-1 Transfers

Transfers of an employee from one position to another without significant change in level of responsibility may be done if the employee meets the qualification requirements for the particular position.

2.3-2 Promotions

- a. Filling of Vacancies - Vacancies in positions above the lowest rank in any department in the Town service shall be filled as far as practical by the promotion of employees in the Town service, provided the Town Manager or other appointing authority shall continue to have the right to recruit and appoint employees deemed appropriate. Promotion in every case must involve a definite increase in duties and responsibilities and shall not be made merely for the purpose of affecting an increase in compensation.
- b. Notification - A department head shall advise the employees within the department, by posting, of the existence of vacancies within the department.
- c. Evaluation Period - Unless otherwise provided by law, promotions may be subject to an evaluation period of three (3) months. If during the evaluation period the appointing authority determines that the job is not being satisfactorily performed, the employee may be returned to the former or equivalent position without prejudice with the approval of the Town Manager.

2.3-3 Demotions

An employee may be demoted to a position for which the employee is qualified after notice and an opportunity to be heard for any of the following reasons:

- a. An employee would otherwise be laid off resulting from the abolition of a position, the employee's position is reclassified to a higher grade for which the employee is not qualified; lack of work; disciplinary action; lack of funds.
- b. An employee does not render satisfactory service in the position the employee holds.
- c. An employee voluntarily requests such a demotion.

All demotions must receive the approval of the Town Manager. The employee shall be notified in writing of this demotion and of the reason for such action. Within ten (10) days of such notice the employee may request a meeting with the Town Manager to discuss any demotion.

2.3-4 Resignation

Any employee who resigns from Town employment shall provide written notice to the department head or Town Manager. Department Heads shall immediately notify the Town Manager of any such resignation. Any employee who resigns shall be obligated to complete necessary forms and may be requested to participate in an exit interview.

2.3-5 Reinstatements

An employee who has resigned from Town employment with a good record of employment may be re-employed. Any person re-employed after 30 days from separation shall be treated as any newly employed person.

2.3-6 Layoffs

The Town Manager or appointing authority is authorized to release any employee on the Town payroll because of lack of work or funds. The Town Manager or appointing authority will consider first the types of activities to be curtailed and the classes of positions thereby affected and will then proceed to the selection of individual employees to be released.

Employees shall be provided a ten (10) day notice of layoffs or compensation in lieu of notice for an employee released because of lack of work or funds.

2.4 DISCIPLINE

2.4-1 Corrective Actions and Discipline Policy

The Town of Winchendon shall maintain a corrective action and discipline procedure that is designed to be both fair and impartial.

The Town values its employees and believes that when an employee is given fair notice, it is expected the employee will correct problems in performance or conduct. There will be, however, instances in which termination for problem behavior is unavoidable.

This policy is designed to ensure consistent and fair treatment for all employees within the corrective action and discipline procedure.

2.4-2 Guidelines for Disciplinary Action

Disciplinary action may be initiated for failure of an employee to fulfill responsibilities as an employee, including any standards set forth in these personnel rules and regulations. Some examples of actions, which are to be considered sufficient cause for disciplinary action, shall include, but are not limited to the following:

Performance:

- a. Incompetence or inefficiency in performing assigned duties;
- b. Refusal to perform a reasonable amount of work or violation of any reasonable official order or failure to carry out any lawful and reasonable directions made by a proper supervisor;
- c. Habitual tardiness or absence from duty;
- d. Abuse of sick leave or absence without leave;
- e. Violation of safety rules, practices and policies;

Misconduct:

- a. Falsification of time sheets;
- b. Use or possession of illegal drugs or alcohol while on duty;
- c. Inability to carry out essential functions of the position as a result of use or the possession of illegal drugs or alcohol;
- d. Misuse or unauthorized use of Town property;
- e. Fraud in securing appointment;
- f. Disclosure of confidential information;
- g. Engaging in sexual or other harassment;
- h. Acceptance of gratuities,
- i. Conviction of a felony;
- j. Political activity while on duty;

Any other situation not covered above but deemed to be of such seriousness, or detrimental to fulfilling job responsibilities for which disciplinary action is warranted.

2.4-3 Disciplinary Procedures

The Town Manager or other appointing authority, department heads, supervisors, and employees shall be responsible for enforcing standards of conduct, and these rules and regulations. Failure to comply with standards of conduct or any rules and regulations may result in disciplinary action.

The type of disciplinary action imposed is at the discretion of the appointing authority and/or the department heads, and is dependent upon the nature of the disciplinary violation. Disciplinary action shall include any of the following:

- a. Verbal reprimand
- b. Written reprimand
- c. Probation
- d. Suspension
- e. Demotion
- f. Discharge

Department heads and supervisors shall be responsible for preparing written documentation of disciplinary action imposed. All written documentation shall be provided to the appointing authority and the Town Manager for placement in the personnel file in the centralized personnel record keeping system.

2.4-4 Disciplinary Actions Defined

a. Verbal Reprimand

The Town Manager or other appointing authority, department head or supervisor observing the action of an employee warranting disciplinary action may issue a verbal warning to the employee. Such verbal reprimand shall be presented in a manner minimizing embarrassment to the employee. Such verbal reprimand shall include a statement concerning the purpose of the reprimand and include an offer of assistance in correcting the deficiency. Documentation of the verbal reprimand shall be placed in the employee's personnel file.

b. Written Reprimand

If a verbal reprimand fails to correct an action warranting disciplinary actions, or if deemed appropriate considering the seriousness of the violation, an employee may receive a written reprimand. The written reprimand shall include: the charge, the specific behavior and dates of the behavior, as appropriate; the warning that the continuance of the behavior will result in severe disciplinary action up to and including termination of employment; an offer of assistance in correcting the behavior. Circumstances affecting the severity of the written reprimand shall be placed in the employee's personnel file.

c. Probation

If a written reprimand fails to correct a disciplinary situation, or if deemed appropriate, considering the seriousness of the violation, the employee may be placed on a probationary period to be determined by the department head or designee, together with the Town Manager. An employee shall receive written notice of such disciplinary probation setting forth the reasons for the disciplinary probation, the effective date of such probation.

The notice of disciplinary probation shall also include: the charge; the specific behavior and dates of the behavior, as appropriate; the warning that continuance of the behavior will result in severe disciplinary action up to and including termination of employment; an offer of assistance in correcting the behavior; circumstances affecting the severity of the disciplinary action; and any right of appeal (see 2.4-6). A copy of the notice shall be placed in the employee's personnel file.

When an employee's disciplinary probation expires, the department head shall notify the Town Manager or other appointing authority in writing that:

1. The employee's performance and behavior is satisfactory and the individual will be retained in the Town service; or
2. The employee's performance and behavior remains unsatisfactory and the department head recommends the employee be either suspended or discharged.

d Suspension

An appointing authority may suspend an employee without pay after notice and an opportunity to be heard. On or before the date of suspension the Town Manager, an appointing authority, or a department head, shall furnish the employee with a written statement setting forth the reasons for the suspension, the effective date of the suspension and the date the employee shall return to work, the warning that continuance of the behavior will result in further disciplinary action up to and including termination; an offer of assistance in correcting the behavior; and any right of appeal. A copy of the notice of suspension shall be placed in the employee's personnel file. Any employee suspended more than twenty (20) working days in any twelve (12) month period shall be discharged.

e Discharge

The Town Manager, depending on the severity of the misconduct, may discharge an employee after notice and an opportunity to be heard.

2.4-5 Appeal Procedures

Any employee may appeal any disciplinary action to the next higher level of management, up to the Town Manager. Said appeal must be requested within five (5) working days of the date of notice of the disciplinary action. A meeting may be held at the Town Manager's discretion. Any employee discharged shall be provided a meeting with the Town Manager on the matter. Any time limit may be extended by written agreement of the Town Manager and the employee filing the appeal.

For any disciplinary matter appealed to the Town Manager, the Town Manager may overturn the disciplinary action, reduce the action imposed, or may increase the action imposed, up to and including discharge.

2.4-6 Procedural Protections

Department heads or supervisors shall not retaliate or take any disciplinary action against an employee for filing an appeal to the next step as this is considered harassment.

2.4-7 Failure to Act

Appeals are expected to be filed in a timely manner and the employee filing an appeal shall meet all time limits specified in the appeals process and the Town, provided, however, any time limit may be extended by written agreement of the Town Manager and the employee filing the Appeal. Failure of the employee to meet the time limits specified in Section 2.4-5 shall result in an appeal being declared null and void.

2.4-8 Uniformity of Practice

Department heads and appointing authorities shall discuss disciplinary problems and actions with the Town Manager or Human Resources to insure uniformity of practice and coordination of disciplinary actions.

SECTION 3 - CLASSIFICATION PLAN

3.1 CLASSIFICATION PLAN

3.1-1 Classification Plan Policy

The Town, through the Town Manager shall maintain and provide a uniform system for classifying all positions, and establish proper relationships between positions based on the level of the responsibilities assumed and the minimum qualifications required to perform the job so that the same schedule of compensation may be applied to each class, ensuring equitable pay. The Classification Plan is contained within Attachment A to these Rules and Regulations.

3.1-2 Classification Plan Administration

The Town Manager or a designee of the Town Manager shall have responsibility for the administration of the classification plan and shall be authorized to:

- a. Complete studies of new positions and make allocations to existing classes, establish a new class of positions.
- b. Provide for studies of existing positions when there has been a substantial change in the duties and the responsibilities which justify consideration of possible re-classification;
- c. Conduct periodic studies to insure the classification plan remains uniform and current, and
- d. Develop and implement procedures to determine the proper classification of each position and classify positions based upon job characteristics.

3.1-3 Classification of New Positions

A department head or appointing authority proposing the creation of a new position shall provide the Town Manager with a written request. The department head proposing a new position to determine the essential job functions will complete a job questionnaire. This questionnaire will be forwarded to the Town Manager or the designee to prepare an official job description and determine the appropriate salary range for the position.

3.1-4 Reclassification of Positions

Positions may not be reclassified without a review and approval of the Town Manager. The Town Manager shall review all positions subject to the classification plan and in accordance with proper personnel practices.

SECTION 4 - PERFORMANCE

4.1 PERFORMANCE

4.1-1 Performance Review Policy

The Town recognizes the need to establish and maintain a system of performance review, which is designed to provide constructive feedback to the employee about the employee's performance.

Every employee will receive an annual performance review. A satisfactory performance review shall be required if any changes to an employee's rate of compensation, including step increases are granted, unless otherwise provided by collective bargaining agreement.

All newly appointed employees shall receive a six-month performance review prior to the completion of the evaluation period. Such performance review must be satisfactory if employment is to be continued after the completion of the evaluation period.

4.1-2 Performance Review Process

A tool for conducting employee performance reviews shall be determined by the Town Manager. The performance review process shall be to appraise an individual's actual job performance and behaviors as they impact productivity and shall not be an assessment of personality characteristics or other extraneous factors.

4.1-3 Performance Review Procedures

To insure compliance with the performance review policy, the following procedures shall be followed:

- a. No later than one month prior to the end of the fiscal year, the Department Head shall complete, or if appropriate, cause to be completed, a performance review for each employee.
- b. Completed performance reviews shall be forwarded to the Town Manager and shall be maintained as part of the employees' personnel record. Performance reviews shall be completed on the instrument designed for such purposes and shall be conducted in the manner prescribed.

The Town Manager recognizes the need to receive input from a board or commission when reviewing the performance of an employee if such employee provides staff support to a board or commission.

SECTION 5 - COMPENSATION PLAN

5.1 COMPENSATION PLAN

5.1-1 Compensation Schedule

Employees shall be hired, classified, promoted, and eligible for pay increases in accordance with the Classification Plan and the policies and procedures herein set forth at rates of pay in the annual Compensation Schedule as determined by the Town Manager.

5.1-2 Merit Increases

Merit increases shall be granted in accordance with the performance review process established by the Town Manager and in accordance with performance standards in Section 4 of these regulations. Requests for merit increases must be submitted to the Town Manager with a written justification signed by the Department Manager. The Town Manager will be the final approving authority.

5.1-3 Reclassification

Employees who receive a promotion or job reclassification will be paid at an appropriate level recommended by the department head with final approval of the Town Manager or appointing authority.

5.1-4 Compensation for Temporary Employees

The Town Manager shall establish the rate of pay for any temporary employee or group of employees.

5.1-5 Temporary Assignments

Compensation for an employee filling temporary assignments will be considered on an individual basis upon recommendation of the Department Head and approval of the Town Manager or appointing authority.

5.1-6 Overtime Procedures

The Town shall pay overtime for non-exempt employees in conformance with the Fair Labor Standards Act (FLSA). Employees, other than uniformed Police and Fire Department personnel, shall be paid for overtime work at a rate equal to time and one-half (1½) their regular rate for work in excess of forty (40) hours per week. Department heads shall be responsible for the control and authorization of overtime.

5.1-7 Stand-by/On-Call Pay

When a non-exempt employee is required to be on-call during off-duty hours, he/she shall receive compensation on a schedule prepared by the appropriate administrative authority and approved by the Town Manager.

5.1-8 Compensatory Time ("Comp Time")

Non-exempt employees instead of overtime pay may use comp time if both the employee and the Department Head are in agreement. Comp time accumulation is to be earned in unusual circumstances with supervisor approval. These may include, but are not limited to occasions when the employee needs extra time to complete a task with a critical deadline or is required to attend a night meeting. All employees earning and using comp time must keep a calendar of their comp time accumulation and use. Such record will be made available to the employee's supervisor for quarterly review. Comp time earned shall be used within four (4) weeks of its being earned or shall be paid out in the form of overtime. Comp time is not intended to accumulate over an extended period of time. The Department Head shall report quarterly Comp Time balances to the Town Manager.

5.1-9 Pay Periods

Payroll will be processed bi-weekly. All employees are required to have payroll checks direct deposited.

SECTION 6 - LEAVES AND RELATED BENEFITS

6.1 HOLIDAYS

6.1-1 Recognized Holidays

The following holidays shall be recognized by the Town on the day on which they are legally observed by the Commonwealth of Massachusetts, and on these days employees, without loss of pay, shall be excused from all duty except in cases where the appointing authority determines that the employee is required to maintain essential Town services:

1/2 Day before New Year's Day	Labor Day
New Year's Day	Columbus Day
Martin Luther King Jr. Day	Veterans' Day
President's Day	Day before Thanksgiving
Patriot's Day	Thanksgiving Day
Memorial Day	1/2 Day before Christmas Day
Independence Day	Christmas Day

6.1-2 Terms of Holiday Pay

Holiday pay shall be granted as follows:

- a. All employees working a minimum of 1,040 hours per calendar year are eligible to receive prorated holiday pay based on the number of work hours regularly scheduled on the day on which the designated holiday occurs. If the number of hours worked varies, the amount of holiday pay to which an employee is entitled shall be determined by the employee's appointing authority.
- b. Holiday pay shall be granted to an employee, provided that the employee shall have worked on the last scheduled working day prior to, and the next regularly scheduled working day following such holiday, or was in full pay status on such preceding and following days in accordance with other provisions of these rules and regulations, or was appropriately excused.
- c. When a non-exempt employee is on stand-by and is called in to work on a scheduled holiday, the employee shall receive double time for each hour worked plus holiday pay.
- d. If the Town Office hours include being closed on Friday, employees that are not scheduled to work on a Saturday will not receive a holiday that falls on a Saturday. For any holiday that falls on a Sunday, employees will receive Monday off as the holiday.
- e. When Christmas Day and New Year's Day falls on a Saturday or Sunday in any given year, employees will be granted a floating paid day, based upon their normal workday hours, in lieu of the two half days before Christmas and New Year's Day to be used within the same fiscal year. If Christmas and New Year's falls on a Friday or Saturday employees will work 1/2 day the Wednesday before and will have the Thursday prior to the holiday off.

6.2 VACATION LEAVE

Employees shall be granted a vacation with pay in each fiscal year in accordance with the following schedule:

Length of Service	Vacation Period
After one (1) year but less than five (5) years, as of anniversary date of hire	Ten (10) work days
After five (5) years but less than ten (10) years, as of the anniversary date of hire	Fifteen (15) work days
After ten (10) years but less than twenty (20) years, as of anniversary date of hire	Twenty (20) work days
After twenty (20) years, as of anniversary date of hire	Twenty-five (25) work days

Annual vacation accruals are provided for each employee on July 1st. Vacation leave earned shall be computed from the date of employment. However, an employee shall not be entitled to vacation leave until the completion of six (6) months of continuous service at which time the employee is eligible to take one-half of the allotment for the year subject to the approval of the department head.

Vacation periods shall be granted at times that are approved by immediate supervisors or their designees.

Vacation accruals can be no greater than one half (1/2) of the employee's annual vacation accrual without Town Manager approval. Upon the death of an employee who is eligible for vacation under these rules, payment shall be made to the estate in an amount equal to the vacation allowance as accrued in the vacation year prior to the employee's death but which had not been taken. In addition, payment shall be made for that portion of the vacation allowance earned in the vacation year during which the employee died, up to the time of separation from the payroll.

6.3 SICK LEAVE

6.3-1 Sick Leave Accrual

All benefits-eligible employees shall accumulate sick leave at the rate equal to 1 ¼ days for each month of employment. Employees shall receive their sick leave each July 1st for the upcoming year. Employees hired prior to July 1, 2004 are eligible to receive up to 65 days of accrued sick leave upon retirement, resignation, layoff, or death. Sick leave is intended for use in time of illness only and as such carries no "buy-back" or "cash-in" valuation.

6.3-2 Use of Sick Leave

Sick leave is intended for protection of employees against loss of pay due to personal illness. However, sick leave may be used by an employee for illness of a dependent child, spouse, or other immediate relative, with the approval of his or her department head. New employees are entitled to sick leave after completing 90 days of service. Accrued sick leave may be used for maternity leave purposes.

6.3-3 Sick Leave Donations

In the event that any employee exhausts his or her accumulated sick time, each benefits-eligible employee of the Town, with the permission of his or her department head and Town Manager, may donate up to six days of his or her sick time accumulated to that employee in a given fiscal year. The affected employee must first exhaust all personal, vacation time, and sick leave in order for this to occur.

6.3-4 Sick Leave Documentation

For an illness or injury that exceeds five consecutive days, the employee shall provide the department head with medical certification of such illness. If an employee has been warned of sick leave abuse, the Town, in its exclusive discretion, may require medical documentation from an employee's physician or a written certificate from a Town selected physician establishing incapacity, illness or injury as a condition of payment of sick leave benefits. If an employee uses sick leave for purposes other than legitimate illness or injury the employee may, at the Town's discretion, be subject to disciplinary action.

6.4 PERSONAL LEAVE

All benefits-eligible employees, on each July 1 (beginning of the fiscal year), shall receive three paid personal leave days, which may be taken during the following 12 months as requested by the employee and approved by the department head. Personal days may not be carried over into the next fiscal year or paid in wages to the employee if not used.

6.5 BEREAVEMENT LEAVE

Bereavement leave of up to three (3) days with pay may be granted with the approval of the department head or appointing authority in the event of the death of the employee's immediate family. Immediate family includes employee's spouse, children, parents, grandparents, grandchildren, siblings and "parents in law". All full-time employees will be granted one (1) day off with pay in order to attend services for a sister-in-law, brother-in-law, aunts, uncles, nieces, and nephews. Any bereavement leave in excess of that allowed will, at the employee's request, be charged against the employee's paid time off.

6.6 JURY LEAVE

Employees shall be paid the difference between their regular week's pay and the compensation they receive for jury duty, provided they report for work on each regularly scheduled working day when excused from such duty. A certificate setting forth the amount received by the employee for jury duty shall be required prior to such payment.

6.7 MILITARY LEAVE

Employees shall be paid the difference between compensation received from the government and their normal base pay while on temporary summer or like periods of training in the military forces of the nation or of the state for a period not to exceed seventeen (17) days in any twelve (12) month period (fiscal year), provided, payment shall not be made to members of the National Guard when mobilizing during an emergency in the state. Employee must provide proof of military pay prior to Town compensating employee for the difference in pay.

6.8 LEAVE OF ABSENCE

The appointing authority with the approval of the Town Manager may grant a leave of absence without compensation for a period not exceeding twelve (12) weeks in duration without loss of previous seniority. Only those employees completing at least one (1) year of continuous service shall be eligible for a leave of absence under this section.

Employees granted a leave of absence shall be classified as out of service of the Town and shall not be entitled to their benefits as may be provided by the Town, including, but not limited to seniority, sick leave, vacation leave and compensation during the period of the leave.

An employee granted a leave of absence for a period of thirty (30) days or less shall be entitled to coverage under applicable group health and life insurance plans. An employee granted a leave of absence for a period of more than thirty (30) days may be provided coverage under applicable group health and life insurance plans, provided that the employee pays the total premium cost, in accordance with applicable statutes.

A leave of absence shall not be granted to enable an employee to accept other employment or for self-employment. Any request for leave of absence or re-instatement after such leave without pay shall be made in writing.

6.9 FAMILY AND MEDICAL LEAVE

The Family and Medical Leave Act ("FMLA") requires employers of over fifty (50) employees to provide up to twelve (12) weeks of unpaid, job-protected leave during a twelve (12) month period to employees who worked a minimum of 1,250 hours in the

prior twelve (12) months.

FMLA is granted to eligible employees for any of the following reasons:

- a. The birth, adoption, or foster placement of a child, and to subsequently care for such newborn, adopted, or foster child:
- b. To care for an employee's spouse, child, or parent with a serious health condition and
- c. For a serious health condition that makes the employee unable to perform the employee's job.

Leave to care for a newborn, adopted, or foster child must be taken within the twelve (12) month period that begins with the birth or placement of the child.

The twelve (12) month leave entitlement is measured forward from the employee's first use of FMLA leave.

FMLA leave shall be unpaid unless an employee applies sick leave as described in Section 6.2-2 that may be available. The substitution of paid leave time for unpaid leave time does not extend the twelve (12) week leave period.

If an employee is injured on-duty and absent from work due to the injury and the injury meets the definition of a "serious health condition" as that term is defined by the FMLA and the Regulations, the Town will classify the absence as FMLA leave and charge the absence against the employee's twelve (12) week FMLA leave entitlement.

Benefits (except health and life insurance), and accruals of paid time off are suspended for the unpaid portion of an employee's leave. During an approved FMLA leave, the Town will maintain the employee's health insurance benefits under the same terms and conditions applicable to employees not on leave. If paid time off is substituted for unpaid FMLA leave, the Town will deduct the employee's portion of the health plan premium as a regular payroll deduction. If the FMLA leave is unpaid, the employee must pay his/her portion of the premium by the 15th of each month or by making arrangements with the Town Treasurer prior to that date. If these conditions are not met, the Town reserves the right to cancel the employee's coverage. The use of FMLA will not result in the loss of any employment benefit that accrued prior to the start of an employee's leave.

The employee must notify, in writing, the Department Head thirty (30) days in advance of requested FMLA leave, or as soon as possible under the circumstances if the leave cannot be anticipated. The notice should include the dates and expected duration of the leave. Upon notification of an employee's intent or need to take time off pursuant to the FMLA, the Department Head should refer the employee to the Treasurer's Office. The Treasurer's Office shall provide all required information and forms to properly certify a leave as FMLA leave.

The Treasurer's Office will notify the employee in writing, within two (2) business days of the request for leave, whether the leave will be designated as FMLA leave.

The Treasurer's Office shall forward a copy of its response to the Department Head. A physician's certification will be necessary if FMLA leave is requested for medical reasons. The employee may be required to provide periodic updates to the Town during the period of FMLA leave if the leave is requested for medical reasons. Employees are required to notify their Department Head of their anticipated return to work within five (5) days of the effective return date if possible. A physician's certificate may also need to be submitted to the Department Head indicating that the employee is cleared to return to work with or without restrictions.

Eligible employees may take up to twelve (12) weeks of FMLA within a twelve (12) month period on a full-time, intermittent or reduced work schedule basis as allowed by the FMLA. In consultation with the Town Manager, the Department Head may evaluate, if warranted or appropriate given the circumstances of the request, whether an intermittent or reduced work schedule can be arranged. The employee may be required to obtain physician certification of the medical necessity for intermittent FMLA leave or a reduced work schedule.

Each department will track all FMLA days on the payroll and FMLA leave shall be counted against FMLA entitlement..

At the conclusion of an employee's FMLA leave, the employee shall be restored to the same position or to an equivalent position, if the employee is able to perform the essential functions of the job, with equivalent benefits, pay and other terms and conditions of employment. If the employee chooses not to return to work (for any reason other than continued health-related problems or due to circumstances beyond control), the employee will reimburse the Town's contribution to the health insurance premium paid during his or her FMLA leave.

The above provision regarding benefits, length of service, and reinstatement of employment are limited to a period not to exceed twelve (12) weeks. After twelve (12) weeks, approval of leave, provision of continued benefits, and reemployment are at the discretion of the Town considering staffing needs and circumstances of the individual case.

The taking of another job while on FMLA leave, or any other authorized leave, may lead to disciplinary action, up to and including termination.

6.10 DOMESTIC VIOLENCE LEAVE ACT

In accordance with MGL c149, §52E, all employees will be permitted to take up to fifteen (15) days unpaid leave in any 12 month if (a) the employee, or a family member of the employee, is a victim of abusive behavior; (b) the employee is using the leave from work to: seek or obtain medical attention, counseling, victim services or legal assistance; secure housing; obtain a protective order from the court; appear in court or before a grand jury; meet with a district attorney or other law-enforcement official; or

attend child custody proceedings or address other issues directly related to the abusive behavior against the employee or family member of the employee; and (c) the employee is not the perpetrator of the abusive behavior against such employee's family member. Except in cases of imminent danger, the employee shall provide twenty-four (24) hour advance notice of said leave. If there is a threat of imminent danger, the employee shall notify his/her supervisor within three (3) workdays that the leave was taken under this section.

If an unscheduled absence occurs, the employee, within thirty (30) days of the absence, shall provide his/her supervisor with documentation evidencing leave was taken consistent with the domestic violence leave act, as described in accordance with MGL c149, §52E(e).

An employee seeking leave the section shall exhaust all annual vacation leave, personal leave and sick leave available to the employee, prior to requesting or taking leave under this section.

All information related to the employees leave under this section shall be kept confidential and should not be disclosed, except to the extent allowed under MGL c149, §52E(f).

6.11 SMALL NECESSITIES ACT LEAVE (SNA)

In accordance with MGL c149, §52D, all employees will be permitted to take up to twenty-four (24) hours of unpaid leave in any twelve (12) month period for the purpose of participating directly or indirectly in school activities of a son or daughter; to accompany a son or daughter to routine medical and dental appointments; or to accompany an elderly relative to routine medical or dental appointments. Although the leave is unpaid, employees may use available vacation, personal or sick time to compensate for the absence. The SNA Leave may be taken all at once, intermittently, or on a reduced work schedule. Employees wishing to take SNA Leave must provide seven (7) days written notice to their supervisors, where possible. If seven (7) days notice is not possible, notice must be provided as soon as practicable.

SECTION 7 - OTHER BENEFITS

7.1 WORKERS' COMPENSATION

7.1-1 Period Not Covered by Workers' Compensation

An employee may use vacation or sick leave balance for the legal waiting period not covered by the state workers' compensation act.

7.1-2 Coordination of Paid Time Off with Workers' Compensation

Employees may use vacation or sick leave balance to supplement their pay if unable to

work due to a work related injury while receiving workers' compensation benefits. The employee may not receive a combined amount exceeding their regular earnings.

7.2 HEALTH AND LIFE INSURANCE

7.2-1 Health Insurance

Employees who regularly work 1,040 hours or more per calendar year are eligible for group health insurance. The Town of Winchendon contributes a percentage of the premium to the offered plans. See the Town Treasurer for the offered plans and insurance rates.

7.2-2 Life Insurance

The Town will provide regular employees who work 1,040 hours or more per calendar year with the opportunity to receive death benefits. The Town of Winchendon contributes a percentage of the premium to the offered plans. See the Town Treasurer for the offered plans and insurance rates.

7.2-3 Consolidated Omnibus Budget Reconciliation Act of 1985 or COBRA (Enacted in 1986)

Federal law (Public Law 99-272, Title X) requires that most employers sponsoring group health plans offer employees and their families the opportunity for a temporary extension of health coverage (called "continuation coverage") at group rates in certain instances where coverage under the plan would otherwise end.

Under the law, the employee or a family member has the responsibility to inform the Town of Winchendon of a divorce, legal separation, or a child losing dependent status under the Town's health insurance. See the Treasurer's Office regarding COBRA eligibility criteria and benefit enrollment.

7.3 COMPENSATORY DEDUCTIONS

7.3-1 Worcester County Retirement System

Employees who work 1,040 or more hours per calendar year are required to contribute a percentage of base wages (pre-tax) as determined by the Worcester County Retirement System.

Employees who work less than 1,040 hours per calendar year are required to contribute a percentage of base wages (pre-tax) to a mandatory deferred compensation plan as directed by law under OBRA of 1990.

7.4 EMPLOYEE INCURRED EXPENSES AND REIMBURSEMENT

7.4-1 Employee Incurred Expenses and Reimbursement Policy

The Town will reimburse all legitimate expenses incurred by an employee as a result of that employee performing Town business related to the employee's work.

All incurred expenses must be documented by an acceptable receipt and approved by the employee's supervisor.

7.5 NON-UNION POLICE OFFICER EDUCATION INCENTIVE PAY

7.5.1 Non union Police Officer Education Incentive Pay Policy

For officers with a degree, the town shall pay an annual education incentive as follows:

- 10% of base pay for Associates Degree
- 20% of base for Bachelor's Degree
- 25% of base for Master's Degree

Degrees shall be in either criminal justice or law enforcement.

Payment to be made in the first payroll period of the fiscal year.

Any amount of educational incentive received from the Commonwealth shall be used to supplant the local incentive such that under no circumstance shall the total received exceed the listed above listed percentages.

SECTION 8 - STANDARDS OF CONDUCT

8.1 STANDARDS OF CONDUCT POLICY

Town employees are expected to act honestly, conscientiously, reasonably and in good faith at all times with regard to their responsibilities, the interests of the Town and the welfare of its residents.

Employees have an obligation to be present at work as required and to be absent from the workplace only with proper authorization; to carry out their duties in an efficient and competent manner, and maintain specified standards of performance; to comply with reasonable employer instructions and policies and to work as directed; to respect the privacy of individuals and use confidential information only for the purposes for which it was intended; to neither use, nor allow the use of Town property, resources, or funds for other than authorized purposes; to incur no liability on the part of the Town without proper authorization; and, to maintain all qualifications necessary for the performance of

their duties legally and efficiently.

The intent of this policy is to ensure that: a) employees meet the Town's legitimate expectations in the areas of performance and behavior; b) employees whose performance or behaviors are deficient are provided with the necessary assistance to meet the Town's expectations; and c) disciplinary action initiated against an employee is fair and appropriate.

Failure to behave in a manner consistent with the standards of conduct and policies included herein may result in disciplinary action being initiated against the offending employee. The Town shall utilize a fair and equitable process in reviewing an employee's alleged violation of these standards and policies and shall discipline the employee, if called for, in a manner appropriate given the alleged violation.

All persons employed by the Town hold a position of public trust, and as a result, Town employees must present themselves in a professional and appropriate manner. Town employees shall avoid any action, which might create the impression of using public office for private gain, giving preferential treatment to any person, or losing impartiality in conducting Town business. Employees are expected to adhere to conduct established by any and all laws of the U.S. Government, the Commonwealth of Massachusetts, and the Town of Winchendon. All employees may be subject to disciplinary action for acting in a manner that is not consistent with these standards of conduct.

This policy applies to all paid, appointed employees in the Town service other than those positions under the supervision and control of the School Committee. Employees subject to Massachusetts Civil Service Laws and/or collective bargaining agreements are subject only to those provisions in this order, which are not specifically regulated by Civil Service Laws or collective bargaining agreements.

8.2 TOBACCO REGULATIONS

8.2-1 Tobacco Regulations

The Town of Winchendon strives for the creation and maintenance of a safe and healthy work environment for its employees, and a secure environment for the citizens. Therefore, it is the policy of the Town to prohibit smoking in all Town owned buildings.

8.2-2 Prohibition of Smoking in Public Places

A person shall not smoke in a municipal building or in a vehicle or vessel owned, leased, or otherwise operated by the Town of Winchendon or in a space occupied by the Town of Winchendon, which is located in another building. There shall be no smoking within thirty (30) feet of an entranceway accessible to the public. Leaving a workstation to smoke must take place only within the confines of the breaks allowed by law and by union contract.

8.3 POLITICAL ACTIVITY

Employee participation in political activities is to be carried on outside of normal working hours. No political activities or solicitations will be conducted on Town owned property by employees.

8.4 CONFLICT OF INTEREST

In accordance with Mass. General Law, Chapter 268A, and Winchendon General By-Law Article XIII, no employee shall maintain an outside business or financial interest, or engage in any outside business or financial activity which interferes with their ability to fully perform job responsibilities or furnish products, materials, or services to the Town.

8.5 EMPLOYMENT SAFETY

8.5-1 Employment Safety Policy

The Town of Winchendon is extremely conscious of the safety and welfare of its employees and that of its citizens. As an employer, the Town recognizes its obligation to ensure the safest possible work place for our employees. As a governmental entity, the Town recognizes its responsibility to provide a safe environment for the public it serves.

The Town functions on the belief that most accidents are preventable. In accordance with this belief it shall allocate resources to administer an aggressive loss control program for the community.

Each department or service division head is responsible for the loss control activities within his or her department. A Safety Coordinator shall be appointed to coordinate an overall loss control effort. The Coordinator, however, is not responsible for line functions, which are normally that of department heads and supervisors.

It is expected that department heads will complement the effort of the Safety Coordinator in showing that the efforts are taken to reduce accident and provide for the safety of the public. These loss control functions are continuous and equal in importance with all other operational considerations.

All employees are responsible for cooperation with and support of the Town's loss control program and its objectives. All employees are expected to adopt the concept that the safe way to perform a task is the most efficient and only acceptable way to complete the task. Loss control shall be every employee's responsibility. Employees, including supervisors, violating safety rules, practices and policies may be subject to disciplinary action.

8.5-2 Responsibilities of Department Heads and Supervisors

Department heads and supervisors shall assume full responsibility for the safety of working areas; recommend correction of deficiencies noted in work procedures,

facilities, safety clothing, equipment or attitudes of employees; ensure the availability and utilization of appropriate protective clothing and equipment; observe working conditions and field procedures to prevent possible safety hazards, and investigate and report all accidents promptly.

8.5-3 Responsibilities of Employees

Each employee shall observe all safety rules, operating procedures and safety practices; use personal protective equipment; report unsafe areas, conditions, or other safety problems, and report all accidents promptly to the appropriate supervisor.

8.6 DISCRIMINATORY HARASSMENT

8.6-1 Discriminatory Harassment Policy

It is the policy of the Town of Winchendon to promote a workplace that is free of discriminatory harassment ("harassment") of any type, including sexual harassment. Discriminatory harassment consists of unwelcome conduct, whether verbal or physical, that is based on a characteristic protected by law. This policy refers to, but is not limited to, discrimination or harassment in the following areas:

- a. Age (40 and above),
- b. Race or color,
- c. National Origin
- d. Maternity leave,
- e. Genetics,
- f. Sex,
- g. Sexual Orientation,
- h. Religion,
- i. Criminal record (applications only),
- j. Disability, or
- k. Active military status

The Town will not tolerate harassing conduct that affects employment conditions, that interferes unreasonably with an individual's performance, or that creates an intimidating, hostile, or offensive work environment.

Harassment includes, but is not limited to:

- a. Display or circulation of written materials or pictures that are degrading to a person or group as previously described.
- b. Verbal abuse, slurs, derogatory comments, or insults about, directed at, or made in the presence of an individual or group as previously described.

Harassment of employees occurring in the workplace, in connection with work-related travel, and/or work-sponsored events will not be tolerated. Further, any retaliation against an individual who has formally or informally complained about discrimination or has cooperated with an investigation of a discrimination complaint is prohibited.

Because the Town takes allegations of harassment seriously, it will respond promptly to

complaints of harassment. Where it is determined that inappropriate conduct has occurred, it will act promptly to eliminate the conduct and impose such corrective action is necessary, including disciplinary action where appropriate.

When an employee or persons having dealings with Town departments believes that he/she has been subjected to harassment, he/she must document, to the best of their ability, the exact circumstances of the alleged offense(s). Employees claiming harassment should be willing and able to substantiate their claim.

The employee should communicate these circumstances to their Department Head, or the Town Manager. If the claim is against the Town Manager, the employee shall communicate with the Board of Selectmen. If possible, resolution of the problem should occur at this level. If not, the legal provision governing grievances concerning sexual harassment are outlined in Title VII of the 1964 Civil Rights Act. A copy of this Act is on file at the Town Manager's Office.

Harassment investigations will be conducted on a confidential basis, and retaliation against an employee for filing a complaint will not be tolerated and could lead to disciplinary actions.

Any behavior that is considered harassment is a serious offense and will result in severe disciplinary action and/or termination against both the offender and any Department Head who fails to take appropriate actions to stop such activity when it is or should be known to him/her. The Department Head is responsible for all offensive conduct of which the Department has knowledge. Furthermore, the Town of Winchendon is liable if immediate corrective action is not taken once the transgression is known.

8.6-2 Training Programs

Training and awareness programs will be made available to employees, supervisors and department heads on a periodic basis to ensure compliance with this policy. Any further questions regarding harassment or discrimination can be directed to the Town Manager.

8.7 SUBSTANCE ABUSE POLICY

The Town of Winchendon's approach to substance use and abuse is to emphasize self-responsibility for our employees. The Town believes that employees should be responsible for their own behavior outside as well as within their individual workplace. Individual responsibility and trust are the overall values the Town and its employees share. While the Town does not oversee what employees do on their own time, it does have policies that address conduct at the workplace. As such, it expects that employees will conduct themselves in a safe and healthy way. The use, possession of, or distribution of controlled substances or alcohol on Town property or work site could be cause for immediate employment termination.

Simply stated, the policy regarding substance abuse is:

No alcohol or controlled substances are allowed on Town property or work site without proper medical/legal authorization.

Employees should seek assistance for substance dependency problems and are offered help through the Employee Assistance Program as well as health coverage. Employees who violate workplace rules are subject to disciplinary action up to and including termination.

8.8 ALCOHOL AND DRUG TESTING POLICY

The purpose of this policy is to outline the responsibilities of employees, supervisors and managers with regard to alcohol and drug testing of employees in safety-sensitive positions in accordance with U.S. Department of Transportation regulations, issued under the Omnibus Transportation Employee Testing Act of 1991. A copy of the Alcohol and Drug Testing Policy is posted and also available in the Town Manager's office.

8.9 INTERNET CODE OF CONDUCT

An Internet Code of Conduct applies to employees at all times, in and out of work hours, while using Town of Winchendon computer equipment.

Allowed Activities

- a. Only access sites that are appropriate for use at work.
- b. Know that actions on the Internet can be monitored at any time.
- c. Employees shall be cautious in communicating via email or the Internet. All internet data that are composed, transmitted, or received via the Town's computer communications systems is considered to be part of the official records and is the property of the Town of Winchendon and, as such, is subject to disclosure to authorized town officials, law enforcement or other third parties.
- d. Employees shall contact with the Information Systems Manager before downloading files, open an e-mail attachment from an unknown source or installing software.

Prohibited Activities

- a. Sending, accessing or displaying offensive, discriminatory, obscene, threatening, harassing, intimidating, racist or disruptive data to any employee or other person.
- b. Intentionally wasting Town resources of time or supplies.
- c. Using or sending obscene language.

The Town of Winchendon network will be closely monitored and management may review your files and communications to maintain system integrity.

Failure to follow the code will result in the loss of access to the Internet and further disciplinary action up to and including termination. If applicable, external agencies may be involved because certain activities may constitute a criminal offense.

**ACKNOWLEDGEMENT OF RECEIPT
OF
TOWN OF WINCHENDON PERSONNEL RULES AND REGULATIONS
POLICY DATED _____**

I have received, read, and understand, the Town of Winchendon Personnel Rules and Regulations Policy. I will comply with the guidelines set out in this Policy and understand that failure to do so may result in disciplinary action, up to and including termination from employment.

Employee Signature

Date