TOWN OF WALPOLE

PERSONNEL BY-LAW

&

CLASSIFICATION & COMPENSATION SCHEDULE

JULY 2017

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ARTICLE 1 – TITLE & AUTHORIZATION:

Pursuant to the authority contained in Sections 108A and 108C of Chapter 41 of the General Laws, this By-law

a. Incorporates and includes the Position Classification and Compensation Schedule (herein referred to as the "PLAN") for the payment of salaries and wages to the employees of the Town of Walpole covered by the PLAN;
b. Specifies certain working conditions such as hours of employment and certain fringe benefits applicable to employees who occupy positions subject to the PLAN and who are not covered by a collective bargaining agreement with the Town in accordance with Chapter 150E of the General Laws; and
c. Provides for the administration of this Personnel By-law.

ARTICLE 2 - APPLICATION:

The PLAN shall apply to all officers and employees in the services of the Town (whether Full Time, Part-Time, Seasonal, Casual, Special, Civil Service or other), other than those positions covered by a separate contract or collective bargaining agreement and under the direction and control of the School Committee. Nothing herein, however, shall bar using the PLAN or its provisions or facilities provided by the Personnel Board as a guide to authorized officials or committees in determining the compensation of such.

ARTICLE 3 - TITLE OF POSITIONS:

No person shall be employed or paid as an employee in any position subject to the provisions of the PLAN under any title other than those in the schedules or under any title other than that of the job the duties of which are actually performed. The job title in the PLAN shall be the official title of the position and shall be used in all administration and employment records, and in every other connection involving personnel or fiscal processes.
All employees will be classified in one of the following categories:

- **Full Time** employees work a full workweek for a continuous and indefinite period. They receive all benefits where applicable and within established limits.
- **Part-Time** employees work less than a full workweek. Part-Time employees who **work a minimum of twenty hours a week** on a regular continuous basis for an indefinite period receive benefits as do Full Time employees but only in proportion to hours worked.
- **Part-Time** employees who **work less than twenty hours a week** will receive pay for the hours they actually work and are not entitled to any benefits other than holiday pay where applicable.
- **Temporary** employees work for a continuous period not to exceed six months. After ninety (90) days employment, they receive paid holidays provided they work the workday before and the workday after the holiday. They are entitled to no other benefits.

ARTICLE 4 - PERSONNEL BOARD:

There shall be a Personnel Board appointed by the Moderator consisting of five members other than employees or elected officials of the Town except Town Meeting Representatives. Two members shall be appointed for a term of three years, two for a term of two years, and one for a term of one year. All subsequent appointments shall be made for a term of three years. Any vacancies shall be filled by the Moderator.
The Personnel Board shall serve without pay.

ARTICLE 5 - QUORUM, MINUTES:

Any or all of the powers it may itself exercise, the Board may delegate to a committee of three of its members and this number shall at any time constitute a quorum; and as long as there is a quorum present, none of the Board's rights or power to exercise them shall be impaired by vacancies in the Board or absences from its meetings.

ARTICLE 6 - DUTIES OF THE PERSONNEL BOARD:

a. The Personnel Board shall enforce and administer the Personnel By-law and establish such policies, procedures, and regulations as it deems necessary and consistent with the Personnel By-law.
b. The Personnel Board shall maintain written descriptions of the jobs or positions in the PLAN describing the essential characteristics, requirements, and general duties. The descriptions shall not be interpreted as

complete or limiting definitions and employees shall continue to perform any duties assigned by their superiors.

c. Personnel records of all Town Employees, including such information as may be deemed desirable, shall be maintained by the Human Resource's Office for the use of the Personnel Board
d. The Personnel Board shall review all positions subject to the PLAN at intervals of not more than three years. The Personnel Board may add a new position to the PLAN or reclassify an existing position to a different schedule or grade, subject to the subsequent ratification of its actions by a formal amendment of the PLAN at the next ANNUAL Town Meeting. All reclassifications of the schedule including Grade, Pay Ranges, Pay Rates shall be effective on the dates recommended by the Personnel Board.
e. The Personnel Board shall from time to time review the Classification & Compensation Schedules. It shall keep informed as to pay rates and policies outside the services of the Town and shall recommend to the Town any action deemed desirable to maintain a fair and equitable pay level.
f. The Personnel Board shall compile and maintain up-to-date charts of the organizational structure of the Town.

ARTICLE 7 - EMPLOYMENT POLICY:

A. The Town will comply with Title I of the Americans with Disabilities Acts of 1990.
   The Town of Walpole will provide for, under Sec. 102 (b)(5) of theAmericans with Disabilities Act (P.L. 101-366), reasonable accommodations as needed, to enable qualified handicapped persons to perform the essential functions of the job unless it is shown that the accommodations would impose an "undue hardship" on the operations of the Town.
B. The Town of Walpole, adheres to the principles and practices of Equal Employment
   Opportunity in compliance with Title VI and VII of the Civil Rights Act of 1964, Executive Order No. 11246 as amended, Executive Order No. 74 as amended and revised by No. 116, Massachusetts General Laws, Chapter 151B and other applicable federal and state laws and regulations. The Town of Walpole is dedicated to Equal Employment Opportunity and shall continue to recruit, hire and promote all job classifications regardless of race, color, national origin, religion, age, ancestry or sex. Also, the Town of Walpole shall continue to ensure that all other personnel actions will be administered in accordance with the principles of Equal Employment Opportunity.
C. All positions must be posted in Town Hall for ten (10) calendar days before being filled.
   Additional advertising or longer periods of posting may be utilized at the discretion of Town Administration.
   Acting appointments may be made without posting with the approval of the Personnel Board.

ARTICLE 8 - INSTALLING PLAN:

All employees included in the PLAN shall be eligible to receive any pay based upon their job classification as provided by the schedules adopted herewith. All adjustments shall be subject to the approval of the Department Head and the Personnel Board.

No pay shall be reduced as a result of the installation of the PLAN. Any existing rates above the maximum shall become personal rates and apply only to the present incumbent. When employment ends, no successor shall advance beyond the maximum for the job.

ARTICLE 9 - INCREASES:

Progression through the PLAN is NOT automatic and shall be on the basis of merit on recommendation of the Department Head and the Personnel Board.

As to employees hired prior to July 1, 2017, eligibility for step increase will be on the anniversary date or promotion date. If an evaluation rating of "Meets Expectations" or better is received at the annual review, the employee will advance a step on the Plan.

NEW HIRES: As to employees hired on or after July 1, 2017, the department head will complete a performance evaluation at the end of the one year probationary period to determine the status of probationary to permanent. If the employee is recommended for permanent status, the employee will receive a merit increase if a rating of "Meets Expectations" or better is received. Eligibility for merit increase will be on the anniversary date or promotion date.

ARTICLE 10 - PROMOTIONS AND TRANSFERS:

When an employee is promoted to a higher rate job, the entry shall be at the minimum of the job rate range or at the employee's own rate, whichever is the higher. An employee may also receive a step increase at the time, if the Department Head feels that qualifications and performance warrant it, and the Personnel Board recommends it.

An employee who is promoted to a higher rated job shall be given a maximum of thirty (30) days trial period in the new position at the applicable rate of pay for the position. If at the end of thirty (30) days of such trial period it is determined by his/her supervisor that the employee's performance in such position is not satisfactory then he/she may be returned to his/her old position and rate of pay.

ARTICLE 11 - RATE RANGE REVISIONS:

When rate ranges are affected by a wage increase voted by the Town, either fixed percentage or a fixed amount, all employees covered by the PLAN shall benefit but no employee shall be increased to a higher step in the rate range unless such increase shall be on the basis of merit at the recommendation of the Department Head and the Personnel Board.

A. No job, position, or employee, or any rate of pay, can be reclassified or reallocated, nor any step (progression increase) granted unless the Board shall have specifically approved the action before it is taken.
B. The proper Department Head shall inform the Board of each change in the content of a job or position.
C. An employee reclassified as a result of rate range revision shall continue at the current rate until such time as the Department Head recommends that qualification and performance warrant a merit increase and the Personnel Board approves.
D. No pay shall be reduced as a result of a rate range revision of the PLAN when an employee receives a pay rate above the maximum for the job. This rate becomes a personal rate and applies only to the present incumbent. When the incumbent's employment ends no successor shall advance beyond the maximum for the job.
E. No increase shall exceed the maximum of the current salary schedule.

ARTICLE 12 - NEW PERSONNEL:

A. The hiring rate shall be the minimum of the rate range for the job unless otherwise authorized by the Department Head and Personnel Board. If such authorization is given, it shall be supported by written statement of the reasons.
B. All new employees shall be hired on a probationary basis for one year. By the end of the one year probationary period, the employee's department head shall recommend to either permanently appoint or terminate the employee. Such recommendation to go into effect upon approval of the Personnel Board. Action by the Personnel Board will take place within a reasonable period following receipt of the department head's recommendation. The probationary period will continue until said recommendation is approved by the Personnel Board.

ARTICLE 13 - VACATION

a. Vacations will be credited on the employee's service anniversary date.

On the 1st anniversary date, two (2) times weekly authorized hours.
On the 5th anniversary date, three (3) times weekly authorized hours;
On the 10th anniversary date, four (4) times weekly authorized hours.
On the 20th anniversary date, five (5) times weekly authorized hours.

The service anniversary date for employees whose status changes from ineligible to eligible for benefits shall be the date of the change in status, i.e. the date the employee's authorized hours change from less than twenty per week to more than twenty per week. *)*

b. Vacations should be used within twelve months of the date they are credited; however, subject to the Department Head's approval, two (2) times weekly authorized hours may be carried over into the new year.
c. Any employee whose employment is terminated by dismissal with just cause, or by resignation, or in case of death, designated beneficiary shall be paid in lieu of such vacations an amount equal to one hour's pay at the employee's regular rate for each hour of unused vacation.

d. Newly hired employees who have attained a minimum of two (2) years relevant experience may be granted credit for this service. Up to a maximum of five years toward the amount of vacation leave granted the employee at their time of hire. In no case shall any newly hired employee be initially granted more than three (3) times weekly authorized hours of vacation. And in all cased this bridging must receive prior approval of the Personnel Board. Any increases in vacation leave time granted above the amount of time initially credited shall be granted according to the schedule listed in the first paragraph of this article. No employee shall receive more than five (5) times weekly authorized hours of accrued vacation time.

e. Newly hired employees may use one times weekly authorized hours of vacation time after six months of service. Any time used will be deducted from the vacation hours credited on the employee's first anniversary.

f. Employees may request from the Personnel Board to take up to one (1) week of weekly authorized hours of their vacation allotment within 90 days of date credited. Said "negative" vacation time to be deducted from the employees allotment on date credited. If an employee resigns, retires or terminates employment prior to date credited, the employee must pay back the Town for negative vacation time.

ARTICLE 14 - LEAVE OF ABSENCE:

Except for jury duty, military training, or other reasons to the extent hereinafter provided, all leaves of absences shall be without compensation.

ARTICLE 15 - PERSONAL LEAVE:

a. All eligible employees shall be entitled to take personal leave each fiscal year equal to sixty (60) percent of the weekly authorized hours.

b. No personal leave with pay shall be granted during the first three months of employment.

c. Requests for personal leave shall be submitted twenty-four hours in advance and shall be subject to the approval of the employee's Department Head.

ARTICLE 16 - HOLIDAYS:

Regular employees shall be paid for each of the following holidays:

New Years Day	Memorial Day	Veteran's Day
Martin Luther King Day	Independence Day	Thanksgiving Day
President's Day	Labor Day	Christmas Day
Patriots Day	Columbus Day	

Employee shall be granted the above holidays provided the employee worked the regularly scheduled hours the day before and the day after the holiday. The employer reserves the right to waive the above requirement. All regular employees who are normally scheduled to work on the day in which a holiday falls shall be paid for twenty (20) percent of their weekly authorized hours. Any above holiday will be observed on the day established by the Comm. of Mass. When any of the eleven (11) holidays fall within a sick leave period, it shall be granted as a holiday and no charge made to the employee's sick leave credits. When any of the eleven (11) holidays fall within a vacation period it shall be granted as a holiday and no charge made to the employee's vacation time credit. If an employee must work on the holiday due to an emergency situation, as determined by the Town Administrator, then the employee may take another day off within 30 days of that holiday.

Employees required to work on this day at management's discretion shall receive the holiday at a future time of their choice prior to the end of the fiscal year.

ARTICLE 17 - PERSONAL ILLNESS - SICK LEAVE:

An employee who serves in a temporary capacity that converts to a permanent position without a break in service may request prior service credit for the purpose of sick time accrual only. Sick days:

A. Employees who work 20 or more hours will accrue sick leave at the rate of twenty-five percent (25%) of the weekly authorized hours for each month of service.

B. Sick leave not used in the year in which it accrues, together with any accumulated sick leave not used in the current year may accrue to a maximum of forty (40) times the weekly authorized hours (200 days). *(revised 10/02)*

C. Absence from duty shall be charged against sick time accrued for the following reasons:
   a. When an employee is required to undergo medical, optical or dental treatment when such treatment cannot be accomplished or off-duty hours.
   b. When a serious illness of an employee's parent, spouse or child, who is a resident of the household, requires the employee's personal attention.
   c. Personal illness.

D. An employee who is absent on sick leave for five or more scheduled work days is required to submit a written statement to Town Administration from his/her personal physician indicating the duration of illness and expected date of return.

ARTICLE 18 - OVERTIME AND COMPENSATORY TIME:

A. No overtime shall be paid to those positions listed on the Professional Salary Schedule, Administrative/Professional Schedule, Election Schedule and Inspection Schedule.

B. For positions listed in the Hourly Schedule, Fire Schedule, Safety Schedule, and Recreation Schedule, overtime shall be paid at straight time rate for all hours worked in excess of the weekly authorized hours up to forty hours. Overtime shall be paid at the rate of time and one half for all hours worked in excess of forty hours in a scheduled work week.

C. Compensatory Time may be granted to all employees listed in Section A except those listed as **Grade 4*** or higher on the Professional Salary Schedule according to the following conditions:

DEFINITIONS

Compensatory time - employees who in a given work week actually work (excluding vacation, sick, personal or compensatory time taken) a number of hours which exceed the employee's weekly authorized hours may request, subject to the provisions of this Article, that such excess hours worked be converted to Compensatory Time. Employees shall be granted one (1) hour of compensatory time for each hour worked in excess of the regular work week until the employee has actually worked forty (40) hours in the work week. Approved Compensatory Time shall accrue at a rate of time and one-half for all hours actually worked in excess of forty (40) hours in a scheduled work week.

Employees in **Grades P5 – P12** who regularly attend scheduled board or commission meetings shall add 2.5 hours to their regular workweek hours for compensatory hour calculations only.

ACCRUAL - APPROVAL

All hours worked above the regular weekly authorized hour limit will be approved in advance by either the Town Administrator or his designee. In an emergency situation, the additional hours will be approved during the next working day. The request for additional hours will be made by the Department Head and submitted to the Town Administrator on a Time Card.

RECORDING OF COMPENSATORY TIME

After approvals by the Town Administrator, the Time Card will be returned to the Department Head for verification of hours worked. The Time Card will then be forwarded to the Personnel Department for recording.

COMPENSATORY TIME

Use of Compensatory Time shall be scheduled during the year as best serves the public interest subject to the Department Heads approval. Such approval shall generally be granted provided that the use of the Compensatory Time is not "Unduly Disruptive"

Minimum Compensatory Time taken will be half (1/2) of a work day.
Maximum accumulation of Compensatory Time will be 40 hours.

ALL COMPENSATORY TIME MUST BE USED BY THE END OF THE FISCAL YEAR IN WHICH IT WAS EARNED.

(See Article 3 – for benefit on part-time employees who work 20+ hrs/wk)
(Revised 7/1/13)

ARTICLE 19 - EDUCATION:

Any full time employee of the Town may participate in this program if the course(s) taken is job related and is approved by the Department Head and the Town Administrator, subject to sufficient funding. An employee should receive approval prior to registering for the course and after satisfactory completion, Grade C or better, will receive reimbursement from the Town upon receipt of course credit and submission of expense voucher for tuition, laboratory costs, and books. The maximum allowable education aid for each school year shall be $600.00 per employee. There is no reimbursement for the time spent during the course, mileage, or any other expenses.

ARTICLE 20 - JURY DUTY:

An employee called for jury duty shall be paid by the Town an amount equal to the difference between the compensation paid for a normal working period and the amount paid by the Court excluding allowance for travel.

ARTICLE 21 - MILITARY TRAINING:

Employees that have completed their probationary period with the Town next prior to the time of performing service herein referred to, who are required to report for temporary summer or like period of training in the military forces of the nation or the Commonwealth, shall be paid an amount equal to the difference between compensation for normal working period of two weeks and the amount paid for military training. An employee, on request, may combine a military leave with regular vacation period.

ARTICLE 22 - SALARY BUDGETS:

A salary budget plan to provide funds for anticipated pay adjustments during the year will be developed with the approval of the Personnel Board.

ARTICLE 23 - FRINGE BENEFITS:

Proposed changes in existing fringe benefits, such as vacations, holidays, premium pay, etc., and/or proposals for any additional fringe benefits shall be submitted by the Department Head to the Personnel Board for its recommendations prior to inclusion in proposed departmental budgets.

ARTICLE 24 - GENERAL:

If any provision of this By-Law shall conflict with any Civil Service law or regulation applicable to any position, or any other law, it shall be deemed modified by the law or regulation sufficiently only to end the conflict.

ARTICLE 25 - CLASSIFICATION AND SCHEDULES:

The Classification and Schedule of pay under the PLAN shall be as shown in the appended "Classification of Positions and Pay Schedules" as from time to time amended.

ARTICLE 26 - AMENDMENT:

A. This By-Law may be amended by vote of the Town at any regular or special meeting.

ON MOTION MADE AND SECONDED IT WAS VOTED:

To adopt the proposed By-Law governing the classification of Personnel and the Administration of Standard Rates of salaries and wages as specified in Article 2 of the Special Town Meeting Warrant for action March 22, 1954, and Classification of Positions and Pay Schedules included in the report of the Wage and Salary Committee with amendments.

B. To permit adequate study, proposed amendments other than those initiated by the Board shall first be presented to the Board in writing, but not less than forty-five days immediately before the date of the meeting in which it is intended to seek action on the said amendment.

ARTICLE 27 - LONGEVITY PAY:

Effective July 1, 2005, the following longevity policy shall be in effect:

after five (5) years service	-	$350.00
after ten (10) years service	-	$450.00
after fifteen (15) years service	-	$550.00
after twenty 20) years service	-	$650.00

Longevity payments are to be made annually the first pay period following an employee's anniversary date. *(See Article 3 – for benefit on part-time employees who work 20+ hrs/wk)*

For the purposes of longevity the "anniversary date" for employees whose status changes from ineligible to eligible for benefits shall be the date of the change in status, i.e. the date the employee's authorized hours change from less than twenty per week to more than twenty per week.

ARTICLE 28 - BEREAVEMENT LEAVE:

Full time and part-time employees working more than twenty (20) hours per week shall, in the event of a death in the immediate family are entitled to bereavement leave without loss of straight time pay for normally scheduled work hours, as follows:

- Employees are entitled to five (5) consecutive calendar days of bereavement leave, per occurrence, for a death of the employee's spouse, child, parent, parent of spouse, sibling, step parent, step child, step sibling or legal dependent.
- Employees are entitled to three (3) consecutive calendar day of bereavement leave, per occurrence, for a death of employee's grandparent, grandchild, daughter-in-law, son-in-law, brother-in-law, sister-in-law,
- Employees are entitled to one (1) day of bereavement leave, per occurrence, for a death of employee's grandparent of spouse, aunt, uncle, niece, nephew.
- Such leave, if taken, either commencing with the death or notification of death and concludes no later than two calendar days after the funeral,
- memorial, or other such service, unless an alternate period is approved by the Town Administrator/designee.
- The employee must notify his/her supervisor of the death and request bereavement leave, and provide the supervisor with a copy of the death notice if required to do so.

ARTICLE 29 - SICK LEAVE BUY BACK:

All employees with ten (10) years of service at the time of retirement or death will be entitled to compensation for 25% of their unused, accrued sick time. Payment under this provision is computed at the current rate of pay and shall not be included in or considered to be base pay for retirement or pension purposes. Said benefit shall not exceed three thousand five hundred dollars ($3,500) and will be paid to the employee or the designated beneficiary. Employees covered by a collective bargaining agreement should refer to their agreement. *(See Article 3 – for benefit on part-time employees who work 20+ hrs/wk)*

ARTICLE 30 - PRIOR SERVICE CREDIT:

An employee who had attained a minimum of one (1) year of full-time service during a former work period is entitled to credit for their prior service when one year of new full time service is completed. At the one year anniversary of the new hire date, a "BRIDGED" service date if assigned which recognizes the addition of the prior service to the present service. This bridged service date then serves as the basis for benefit accruals. Until this bridged service date is put into effect, the employee is considered to have no prior service in areas governed by ERISA law, such law takes precedence.

ARTICLE 31 - EMERGENCY CLOSING POLICY:

The decision to close Town Hall offices due to emergency situations (storm, power failure, snow, etc.) is to be made by the Office of Town Administration. This decision will govern all offices within the Town Hall.
Should a shut down of Town Hall Offices be required the following pay policy will apply:

- When Town Hall Offices are shut down **for the entire day** before the start of the normal work day, non-union, non-salaried employees schedule to work on the specific day will receive pay for the regularly scheduled hours of work between 8am and 4pm.
- When Town Hall Offices has a delay opening at the start of the normal work day, non-union, non-salaried employees schedule to work on the specific day will receive pay for the regularly scheduled hours of work between 8am and 4pm only if they report to work at the designated opening time. However, if the employee does not report to work they can apply any unused personal days or vacation days for the entire scheduled work day.

- If the Town Hall Offices are shut down **during the work day** the following pay policy will apply:
- Those non-union, non-salaried employees at work at the time of the shut down will be paid for their entire scheduled day between 8am and 4pm.
- Those non-union, non-salaried employees not at work at the time of the shut down will be paid for actual hours worked that day.
- If Town Hall Offices are not closed by the Office of the Town Administrator, absent non-union, non-salaried employees will receive no pay. Employees may, however, apply any unused personal days or vacation days.
- Town Hall Offices include all functional offices within the Town Hall Facility.

ARTICLE 32 - LEAVE VERIFICATION:

All departmental payrolls submitted to the Treasurer's office must be verified and signed by Department Head. Each payroll shall be accompanied by a separate list of employees' use of accrued or other leave for each preceding payroll period. Accrued leave includes vacation, sick and personal leave. Other leave includes bereavement, military duty, jury duty, or special leave. Upon receipt, the list shall be forwarded by the Treasurer to the Town Administrator who shall be responsible for updating each employees' accrual records on a weekly basis.

ARTICLE 33 - MATERNITY/ADOPTION LEAVE:

A. FAMILY, MEDICAL & SMALL NECESSITIES LEAVE:

The Town is subject to the provisions of the Family and Medical Leave Act of 1993 (FMLA) and Small Necessities Leave Act of 1998 (SNLA). The FMLA and the SNLA shall not increase or decrease the length of leave available to eligible employees under the leave provisions set forth under these by-laws. When an employee is eligible for leave under the Personnel By-Laws for a reason which would entitle the employee to leave under the FMLA or SNLA, such leave will also be considered FMLA and SNLA leave entitlement. FMLA and SNLA leave is not cumulative and is not in addition to leaves currently available to the extent such leaves are for reasons covered by the FMLA and SNLA. (Policy of file)

B. MATERNITY/ADOPTION LEAVE:

Maternity and qualified adoption (subject to state law) leave shall be granted for a period not to exceed twelve (12) weeks. Maternity/adoption leave shall be unpaid. However, employees may use accumulated sick leave during this period. Upon returning to work, the employee will be restored to the position held at the time of said leave.

ARTICLE 34 - QUINN BILL:

The Town will treat the non-union sworn personnel in parity to the union contract for purposes of MGL 41, section 108 L. *(revised 7/1/13)*

ARTICLE 35 - SEXUAL HARASSMENT:

The Town of Walpole is committed to the provision of a safe and non-discriminatory work place for all of its employees. Pursuant to this commitment the Board of Selectmen and the Personnel Board endorse and adopt the following policy and its adjunct procedures to educate employees, to comply with statutory mandates, to address real and potential incidents and to strive to secure a harassment-free work environment.

I. It is illegal and against the policies of the Town of Walpole for any employee or Town Official, male or female, to sexually harass another employee by:

1. Making unwelcome sexual advances or requests for sexual favors or other verbal or physical conduct of a sexual nature, a condition of the employee's continuing employment, or
2. Making submission to or rejection of such conduct the basis for employment decisions affecting the employee, or
3. Creating and intimidating, hostile or offensive working environment by such conduct.

Examples of conduct which may constitute sexual harassment includes but is not limited to:

a. using one's position or authority, either implicitly or explicitly, to coerce an employee into complying with sexual favor;
b. unwanted touching, fondling, patting, hugging, pinching, kissing, cornering or brushing;

c. questions and compliments about a person's sexual behavior, sexually oriented jokes, or comments about a person's body or conversations filled with sexual innuendo and double meanings, and
d. displaying sexually suggestive pictures or objects in the work place, leering or ogling in a sexually explicit manner, or gesturing and making lewd motions with one's body.
e. Viewing sexually explicit websites, sending sexually explicit emails or voicemails to or from the work place.
f. II. Any employee who believes he or she has been the subject of sexual harassment should report the alleged act(s) and/or behavior to his or her department head and/or the Town Administrator, Assistant Town Administrator or Personnel & Benefits Coordinator at Walpole Town Hall, 135 School Street, Walpole, MA 02081, (508) 660-7289. Complaints should be made within a timely manner. Complaints may also be made through contacting either of the two government agencies below:

Massachusetts Commission Against Discrimination
One Ashburton Place, Room 601
Boston, MA 02108 (617) 994-6000
Web site: www.mass.gov/mcad/hours.html

Equal Employment Opportunity Commission
John F. Kennedy Federal Building
475 Government Center
Boston, MA 02203 (800) 669-4000 or (617) 565-3200
Web site: www.eeoc.gov/boston/index.html

An investigation of all complaints will be undertaken immediately and in compliance with the Sexual Harassment Complaint Procedure. Any supervisor, agent or other employee who has been found by the administration after appropriate investigation to have sexually harassed another employee will be subject to appropriate sanctions, which range, depending upon the circumstances, from remedial training up to and including termination.
Any retaliation for filing a complaint or cooperating in an investigation is unlawful and is prohibited by the Town. Retaliatory action shall be regarded as a separate and distinct cause for complaint under the Sexual Harassment Complaint Procedure, and as a basis for disciplinary action against the offending employee should investigation validate said complaint.
III. The complaint procedure shall be implemented in instances of the alleged sexual harassment of employees by non-employees and on non-employees by employees occurring in the work place and within the jurisdiction of the complaint procedure of the Town of Walpole. Alleged occurrences
which are not within the jurisdiction of the complaint procedure will be referred to an enforcement
agency, if applicable. If there is no available enforcement agency, Administration will take reasonable steps to prevent such conduct.
The Board of Selectmen and the Personnel Board affirm their responsibility to provide a work environment free of sexual harassment and recognize that such an environment is the result of continued responsible action and behavior by all employees. Any employee is encouraged to raise questions regarding sexual harassment or other barriers to equal employment opportunity with the Assistant Town Administrator.
Submitted for approval as part of the Town of Walpole Personnel By-Law and Adopted by Board of Selectmen and Personnel Board. *(Revised 1/05)*
Sexual Harassment Complaint Procedure is on file in the Town Clerk's Office, Personnel and Town Administration.

ARTICLE 36 - DRUG FREE WORKPLACE:

The Federal Drug Free Workplace Act of 1988 states that the unlawful manufacture, distribution, dispensing, possession, or use of controlled substances at the workplace is prohibited. All employees are required to conform to this act. An employee is also required to notify his/her supervisor of any criminal drug statute conviction for a violation occurring in the workplace no later than five days after such a conviction. Convicted employees will be subject to disciplinary action which may result in termination of employment or in mandatory participation in a drug rehabilitation program. Information concerning dangers of illegal drugs and confidential drug counseling is provided by the Governor's Alliance on Drugs (727-0786) and through individual health care providers. This section is not intended to allow the employer to subject employees to any type of drug testing mandatory or otherwise.

ARTICLE 37 - RESIDENCY REQUIREMENT:

Any Public Safety department head(s) are required to reside with the Town of Walpole or a community contiguous to the Town within 12 months of the date of appointment.

ARTICLE 38 - EMPLOYEE COMPLAINT PROCEDURE:

It is the intent of the Town of Walpole to be equitable and fair in our relations with employees. Employees are encouraged to bring to the attention of appropriate management representatives any complaints regarding any phase of their employment. All such complaints will be promptly investigated and answered or adjusted in a manner consistent with established Town policy and sound employee relations principles.

Complaint Procedure:

Employees are encouraged to discuss all problems or differences of opinion with their supervisor. Usually difficulties can be resolved without going further. Occasionally, an unusual problem will arise that these discussions do not resolve. When this happens, supervisors should encourage employees to follow the steps of the complaint procedure which is available to employees to pursue at any time.

Step 1: The employee should discuss the complaint with his or her immediate supervisor within five (5) working days after the act or condition which is the basis of the complaint occurred. The supervisor should discuss the complaint normally within one week after notification by the employee.

Step 2: If within one week the employee is not satisfied with the result of the discussion with his/her supervisor, the employee will request, in writing, that a meeting be schedules by the supervisor between the department manager and the employee within five (5) working days after he/she haas received the step 1 decision. This meeting will be held normally within one week of notification by the employee.

Step 3: If within one week after the meeting with the department manager the employee is still not satisfied, the employee will prepare a written statement of the request or complaint and will forward it within one week to the next level to Town Management. The manager will review and answer in writing the complaint normally within five working days. At either the manager's or the employee's request, a conference between the employee and the manager will be held, normally during those five days.

Step 4: If the manager's answer to the employee's request or complaint is not satisfactory to the employee, the employee should notify the Town of Walpole Personnel Board within one week. The Personnel Board will review all pertinent documents, records, and management's written answer and answer the request or complaint within thirty days after receiving it. The Personnel Board's decision will be final.

(Employees should consult with the Town Charter and/or their respective collective bargaining agreement prior to utilizing this by-law)

ARTICLE 39 - SICK LEAVE BANK

The purpose of the Town of Walpole (the "Town") Employee Sick Leave Bank (the "Sick Leave Bank" or the "Bank") is to make available additional sick leave to non-union, salaried and hourly Town employees who have suffered an unplanned personnel illness, injury, disability or quarantine and whose personal sick leave has been exhausted.

ADMINISTRATION:

The Sick Leave Bank shall be administered by the Sick Leave Bank Committee (the "Committee"), which shall consist of one (1) member of the Town Personnel Board, one (1) member selected by the Town's salaried employees, and one (1) member selected by the Town's hourly employees. Members of the Committee shall be selected on an annual basis and shall serve for a term of one (1) year, but may serve more than one term in succession.

EMPLOYEE ELIGIBILITY AND PARTICIPATION:

1. Any non-union, salaried and hourly Town employee may participate in the Sick Leave Bank if they have an accrual balance of at least 25 days sick leave as of August 1 of any year. Members enrolled in the sick bank shall be re-enrolled automatically each year (unless the member withdraws in writing) as long as they have maintained an accrual balance of at least 25 days. Only employees who elect to participate in the Bank prior to first suffering an unplanned personnel illness, injury, disability or quarantine for which he or she submits an application for Sick Leave Bank benefits, however, shall be eligible to receive such benefits.

2. An employee may elect to participate in the Sick Leave Bank by agreeing to donate to the Bank, during the thirty (30) day enrollment period ending on August 1 of each year, an amount of sick leave hours equal to twenty percent (20%) of such employee's weekly-authorized sick leave hours. New Town employees shall be eligible to participate in the Sick Leave Bank during the open enrollment period after they have an accrual balance of at least 25 days sick leave. Sick Leave Bank committee have the ability to waive the 25 day clause. All donations of sick leave hours to the Bank are non-refundable.
3. The aggregate number of sick leave hours maintained in the Sick Leave Bank shall be limited to a maximum of five thousand (5,000) hours. If, in any year, the aggregate number of unused sick leave hours that have been contributed to the Sick Leave Bank equals or exceeds the permitted maximum limit as of August 1, then the number of accrued hours in Bank automatically shall be reduced to four thousand five hundred (4,500) on such date in order to accommodate new contributions by Town employees over the subsequent twelve month period. Absent unusual circumstances, a minimum of one thousand (1,000) sick leave hours shall remain in the Sick Leave Bank at all times.
4. No employee shall be eligible to receive benefits from the Sick Leave Bank until after he/she has exhausted all of his/her accumulated sick leave, personal leave and vacation leave.
5. No employee shall be eligible to receive benefits from the Sick Leave Bank on account of any elective surgery or an illness, injury, disability or quarantine of a family member.
6. An employee shall be come ineligible to receive benefits from the Sick Leave Bank upon his/her:
   a. Resignation or termination of employment with the Town;
   b. Retirement;
   c. Voluntary withdrawal from participation in the Bank; or
   d. Going on an approved leave of absence for reasons other than an unplanned personal illness, injury, disability or quarantine.

   An employee voluntarily may withdraw from participation in the Sick Leave Bank at any time by providing written notice of withdrawal to the Committee. An employee who withdraws from the Sick Leave Bank, or retires, resigns or otherwise terminates his or her employment with the Town, shall forfeit all days all days contributed by such employee to the Bank.
7. Criteria that may be considered by the Committee in evaluating an employee's request for benefits from the Sick Leave Bank shall include, but not be limited to:
   a. The seriousness of the employee's illness, injury, disability or quarantine;
   b. The anticipated duration of the employee's illness, injury, disability or quarantine;
   c. The employee's length of service with the Town;
   d. The number of hours typically worked each week by the employee in normal circumstances;
   e. Other sources of income or benefits that the employee receives, or is eligible to receive, during the period of his/her illness, injury, disability or quarantine;
   f. The propriety of the employee's prior use of sick leave; and
   g. The aggregate number of hours currently available in the Sick Leave Bank.

PROCEDURE FOR SEEKING BENEFITS:

1. An eligible employee who has suffered an unplanned personnel illness, injury, disability or quarantine may request benefits from the Sick Leave Bank by completing and submitting an approved Sick Leave Bank Request Form to the Committee no later than thirty (30) calendar days prior to the first date for which additional sick leave benefits are requested. Exceptions to the foregoing thirty-day requirement may be granted by the Committee in unusual circumstances.
2. In the event an employee is physically or mentally unable to complete and submit a Sick Leave Bank Request Form, a spouse, family member or guardian may complete and submit a Request Form on the employee's behalf.
3. Each employee requesting benefits from the Sick Leave Bank shall be required to certify in writing his or her intention to return to work for the Town promptly following the cessation of the unplanned personnel illness, injury, disability or quarantine. Failure to do so for reasons other than the death or permanent disability of the employee shall constitute grounds for the Committee, at its sole discretion, to direct the employee to refund to the Town the reasonable monetary value of some or all of the benefits received by the employee from the Sick Leave Bank.

4. All requests for benefits from the Sick Leave Bank shall be accompanied by a written statement confirming the existence and cause of illness, injury, disability or quarantine signed by a qualified physician. An employee seeking benefits from the Sick Leave Bank may be required by the Committee, at its sole discretion, to undergo an independent medical examination by a physician selected by the Committee.
5. All requests for benefits from the Sick Leave Bank shall state the specific number of additional sick leave days requested. No single request for benefits in excess of nine (9) weeks of the employee's weekly authorized hours shall be submitted to, or approved by, the Committee.
6. An eligible employee may submit more than one request for benefits from the Sick Leave Bank, although no more than one request may be pending from a single employee at any point in time. The maximum number of additional sick leave that an employee may receive from the Sick Leave Bank on account of any one episode of illness, injury, disability or quarantine is twenty-six (26) weeks of his/her weekly-authorized hours.
7. The Committee shall act on all completed Sick Leave Bank Request Forms within fourteen (14) days of submission to the Committee. Notification of the Committee's decision thereafter shall be provided promptly to the requesting party.
8. The decision to deny or grant, in whole or in part, an employee's request for benefits from the Sick Leave Bank shall be left to the sole discretion of the Committee, as determined by a majority vote of the Committee members. The decision of the Committee in each instance shall be final.
9. Questions regarding the interpretation or application of this by-law shall be resolved by the Committee, with the input and guidance of the Town Personnel Board.

TOWN OF WALPOLE

Professional Salary Schedule - FY 2018 (7/1/17)

PROFESSIONAL COMPENSATION & CLASSIFICATION PLAN

For Employees hired prior to July 1, 2017

	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7	Step 8	Step 9	Step 10	Step 11	Step 12	Step 13	Step 14	Step 15
P-1	Town Administrator														
	123,433	125,902	128,420	130,988	133,608	136,280	139,006	141,786	144,622	147,514	150,464	153,474	156,543	159,674	162,868
P-2	DPW Director - Fire Chief - Police Chief														
	100,756	102,771	104,826	106,923	109,061	111,242	113,467	115,737	118,051	120,412	122,821	125,277	127,782	130,338	132,945
P-3	Asst Town Administrator - Finance Director														
	93,292	95,158	97,061	99,002	100,983	103,002	105,062	107,163	109,307	111,493	113,723	115,997	118,317	120,683	123,097
P-4	Deputy Fire Chief - Deputy Police Chief														
	86,381	88,108	89,871	91,668	93,501	95,371	97,279	99,224	101,209	103,233	105,298	107,404	109,552	111,743	113,978
P-5	Accountant -Appraiser - Building Inspector/Commissioner - Community Development Director - Town Engineer - Health Director - IT Director - Library Director - Police Lieutenant - Supt of Buildings -Supt of Highway & Parks - Supt of Sewer & Water														
	79,997	81,596	83,228	84,893	86,591	88,323	90,089	91,891	93,729	95,603	97,515	99,466	101,455	103,484	105,554
P-6															
	74,066	75,548	77,059	78,600	80,172	81,775	83,411	85,079	86,780	88,516	90,286	92,092	93,934	95,813	97,729
P-7	Asst. Engineer - Asst.Supt of Hwy & Parks - Asst.Supt of S & W - Comm & Econ Devel Dir - Recreation Director - Supt of Vehicle Maint - Town Clerk - Town Planner														
	68,579	69,950	71,349	72,776	74,232	75,716	77,231	78,775	80,351	81,958	83,597	85,269	86,974	88,714	90,488
P-8	Adult Service Librarian/Asst. Director - Conservation Agent - Council on Aging Director - Deputy Health Agent - Human Resource Administrator - Purchasing Agent														
P-6	63,499	64,769	66,064	67,386	68,733	70,108	71,510	72,940	74,399	75,887	77,405	78,953	80,532	82,143	83,786
P-9	Asst Recreation Director/Business Manager - Asst.Treasurer/Collector - Executive Assistant														
	58,840	60,017	61,217	62,441	63,690	64,964	66,263	67,588	68,940	70,319	71,725	73,160	74,623	76,115	77,638
P-10	Administrative Assistant - Asst. Town Accountant - Children's Librarian - PC Support Technician - Reference Services Librarian - Tech Services Libr														
	54,439	55,528	56,639	57,772	58,927	60,106	61,308	62,534	63,784	65,060	66,361	67,689	69,042	70,423	71,832
P-11	Animal Control Officer - Plan Review/Central Permit Adm - Recreation Coord - Veteran's Agent														
	47,354	48,301	49,267	50,252	51,257	52,282	53,328	54,394	55,482	56,592	57,724	58,878	60,056	61,257	62,482

TOWN OF WALPOLE

Hourly and Administrative/Professional Schedule - FY2018 (7/1/17)

HOURLY SALARY SCHEDULE

For Employees hired prior to July 1, 2017

	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7	Step 8	Step 9	Step 10	Step 11	Step 12	Step 13	Step 14	Step 15
H-1	Deputy Building Inspector														
	27.61	28.16	28.73	29.30	29.89	30.49	31.09	31.72	32.35	33.00	33.66	34.33	35.02	35.72	36.43
H-2	Local Inspector - Board of Health Technician - Engineer														
	25.34	25.84	26.36	26.89	27.43	27.97	28.53	29.10	29.69	30.28	30.89	31.50	32.13	32.78	33.43
H-3	Administrative Board Secretary - Asst. Children's Librarian - Outreach Worker - Engineerin														
	23.23	23.69	24.16	24.65	25.14	25.64	26.16	26.68	27.21	27.76	28.31	28.88	29.46	30.04	30.65
H-4	Board Secretary - Principal Clerk - Program Coordinator														
	21.52	21.95	22.39	22.84	23.30	23.76	24.24	24.72	25.22	25.72	26.24	26.76	27.30	27.84	28.40
H-4a	Dispatcher														
	21.10	21.52	21.95	22.39	22.84	23.30	23.76	24.24	24.72	25.22	25.72	26.24	26.76	27.30	27.84
H-5	Senior Clerk - Van Driver														
	18.43	18.80	19.18	19.56	19.95	20.35	20.76	21.17	21.60	22.03	22.47	22.92	23.38	23.84	24.32
H-6	Senior Library Page														
	13.58	13.85	14.12	14.41	14.70	14.99	15.29	15.59	15.91	16.22	16.55	16.88	17.22	17.56	17.91
H-7	Seasonal Laborer														
	12.59	12.84	13.10	13.36	13.62	13.90	14.17	14.46	14.75	15.04	15.34	15.65	15.96	16.28	16.61
H-8	Library Page - Office Assistant														
			10.40	10.61	10.82	11.04	11.26	11.49	11.72	11.95	12.19	12.43	12.68	12.94	13.19

ADMINISTRATIVE/PROFESSIONAL SALARY SCHEDULE

	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7	Step 8	Step 9	Step 10	Step 11	Step 12	Step 13	Step 14	Step 15
A-1	Local Emergency Management Administrator														
	8,163	8,326	8,493	8,663	8,836	9,013	9,193	9,377	9,564	9,756	9,951	10,150	10,353	10,560	10,771
A-2	Hearing Officer - Stipend $44.35 per month														

TOWN OF WALPOLE
PROFESSIONAL SALARY SCHEDULE
For Employees hired on or after July 1, 2017

PROFESSIONAL COMPENSATION & CLASSIFICATION PLAN				Effective 7/1/2017
Grade	**Position**	**Min**	**Mid**	**Max**
P-1	Town Administrator	123,433	143,151	162,868
P-2	DPW Director	100,756	116,851	132,945
	Fire Chief	"	"	"
	Police Chief	"	"	"
P-3	Asst. Town Administrator	93,292	108,195	123,097
	Finance Director	"	"	"
P-4	Deputy Fire Chief	86,381	100,180	113,978
	Deputy Police Chief	"	"	"
P-5	Appraiser	79,997	92,776	105,554
	Building Commissioner	"	"	"
	Community Development Director	"	"	"
	Town Engineer	"	"	"
	Health Director	"	"	"
	IT Director	"	"	"
	Library Director	"	"	"
	Police Lieutenant	"	"	"
	Superintendent of Buildings	"	"	"
	Superintendent of Highway & Parks	"	"	"
	Superintendent of Sewer & Water	"	"	"
	Town Accountant	"	"	"
P-6		74,066	85,898	97,729
P-7	Assistant Town Engineer	68,579	79,534	90,488
	Assistant Supt of Highway & Parks	"	"	"
	Assistant Supt of Sewer & Water	"	"	"
	Community & Economic Development Director	"	"	"
	Recreation Director	"	"	"
	Superintendent of Vehicle Maintenance	"	"	"
	Town Clerk	"	"	"
	Town Planner	"	"	"
P-8	Adult Services Librarian/Assistant Director	63,499	73,643	83,786
	Conservation Agent	"	"	"
	Council on Aging Director	"	"	"
	Deputy Health Agent	"	"	"
	Human Resource Administrator	"	"	"
	Purchasing Agent	"	"	"
P-9	Assistant Recreation Director/Business Manager	58,840	68,239	77,638
	Assistant Treasurer/Collector	"	"	"
	Executive Assistant	"	"	"
P-10	Administrative Assistant	54,439	63,136	71,832
	Assistant Town Accountant	"	"	"
	Children's Librarian	"	"	"
	PC Support Technician	"	"	"
	Reference Services Librarian	"	"	"
	Technical Services Librarian	"	"	"
P-11	Animal Control Officer	47,354	54,918	62,482
	Recreation Coordinator	"	"	"
	Veteran's Agent	"	"	"

TOWN OF WALPOLE
Proposed Hourly & Administrative/Professional Schedule
For Employees hired on or after July 1, 2017

PROFESSIONAL COMPENSATION & CLASSIFICATION PLAN						Effective 7/1/17
Grade	**Position**	**Min**		**Mid**		**Max**
H-1	Deputy Building Inspector	27.61		32.02		36.43
H-2	Engineering Inspector	25.34		29.39		33.43
	Local Inspector	"		"		"
	Board of Health Technician	"		"		"
H-3	Administrative Board Secretary	23.23		26.94		30.65
	Assistant Children's Librarian	"		"		"
	Engineering Aide	"		"		"
	Outreach Worker	"		"		"
H-4	Board Secretary	21.52		24.96		28.40
	Principal Clerk	"		"		"
	Program Coordinator	"		"		"
H-5	Senior Clerk	18.43		21.38		24.32
	Van Driver	"		"		"
H-6	Senior Library Page	13.58		15.75		17.91
H-7	Seasonal Laborer	12.59		14.60		16.61
H-8	Library Page	10.40		11.80		13.19
	Office Assistant	"		"		"

ADMINISTRATIVE/PROFESSIONAL SALARY SCHEDULE						
Grade	**Position**	**Min**		**Mid**		**Max**
A-1	Local Emergency Management Administrator	8,163		9,467		10,771
A-2	Hearing Officer - Stipend $44.35 per month					

TOWN OF WALPOLE
ELECTION, FIRE, SAFETY, INSPECTION & GRANT HOURLY SCHEDULE
Effective July 1, 2017

GRADE	POSITION	Hourly rate	
ELECTION		**Min**	**Max**
E-1	Election Officer		9.98
E-2	Election Deputy Warden, Clerks, Deputy Clerks		12.31
E-3	Election Registrar, Election Warden		14.78
FIRE		**Min**	**Max**
F-1	Call Firefighter - Private	17.25	21.07
F-2	Call Firefighter - Lieutenant	19.07	23.28
SAFETY		**Min**	**Max**
S-1	School Traffic Officer		17.38
S-2	Police Matron	14.21	16.82
	Interpreter	"	"
S-3	Special Police (town paid)		24.38
S-4	Special Police (non-town paid)		48.76
INSPECTION		**Min**	**Max**
I-0	Deputy Local Inspector	25.34	26.22
I-1	Supt. Insect/Pest Control (stipend)		400/yr
I-2	Tree Warden (stipend)		700/yr
I-3	Animal Inspector (stipend)	3850/yr	5,000/yr
I-4	Deputy Tree Warden (stipend)		500/yr
GRANT		**Min**	**Max**
G-1	Elder Service Advocate	$16.13	$21.33

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TOWN OF WALPOLE
RECREATION SCHEDULE
Effective July 1, 2017

Grade	Position	Hourly Rate	
		Min	Max
PROGRAMS			
RP-1	Program Director	$14.00	$19.00
RP-2	Program Supervisor	$12.00	$14.00
RP-3	Program Instructor	$11.00	$13.00
"	Program Counselor	"	"
PR-4	Jr. Program Counselor	$9.00	
AQUATIC'S PROGRAM			
RA-1	Aquatics Director	$16.00	$25.00
RA-2	Assistant Aquatics Director	$14.00	$18.00
RA-3	Head Lifeguard	$13.00	$16.00
RA-4	Water Safety Instructor	$12.50	$15.00
RA-5	Lifeguard	$12.00	$13.50
RA-6	Gate Attendant	$9.00	
SPECIALIZED PROGRAMS			
RS-1	Day Camp Director	$25.00	$40.00
RS-2	Athletic Clinic Director	$25.00	$35.00
RS-3	Athletic Clinic Assistant Director	$20.00	$25.00
RS-4	Athletic Clinic Supervisor	$17.50	$20.00
RS-5	Athletic Clinic Instructor	$15.00	$17.50
RS-6	Specialized Instructor	$11.00	$40.00
RS-7	Nurse	$15.00	$35.00