

# **Personnel Policies**

## **Town of Washington MA**

**This document contains and supersedes all provisions of  
The Employee By-Laws  
Adopted 11/19/12  
As Amended 03/09/21**

under the authority, and subject to, the provisions of the General Laws of  
Massachusetts, Tercentenary Edition, Chapter 40, section 21A.

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- 1 Sample Job posting
- 2 Disciplinary Procedures

## **Attachments**

- A. MA Sexual Harassment Definition and Complaint Procedure
- B. Policies Regarding the Employment of Minors under age Eighteen (18)
- C. Military Care Giver and Qualifying Exigency Leave
- D. Highway Superintendent Requirements

## **Forms**

Employment Application  
CORI Release Form  
Performance Appraisal Form  
Professional Reappointment Form  
Leave of Absence Request  
Personal Automobile Travel Expense Form  
Written Reprimand  
Exit Interview Form  
Acknowledgement of Receipt of Personnel Policies

## **1.0 General Provisions**

### **1.1 Application**

These policies apply to all elected officials and appointments made by the Washington Select Board or a Department Head. Those appointed to paid positions are considered Town employees; unpaid elected officials and unpaid appointees are not considered to be Town employees. Although Town policies apply equally to all, there are provisions of MGL that may supersede (e.g. reinstatement or removal of an elected official or non-paid appointee).

### **1.2 Employment At-Will**

Fundamental to meeting the Town's objectives is a clear understanding of the ground rules that are essential to effective teamwork. The purpose of this handbook is to assist you in understanding your rights and obligations as an employee. Your handbook is a source of general information concerning the Town's policies, procedures and work rules as they exist on the date of its publication.

This handbook is not an employment contract and does not limit the reasons for termination of the employment relationship.

The Town has prepared this handbook as a guide to policies, benefits, and general information that should assist you during your employment. However, neither this handbook, nor any other Town communication or practice, creates an employment contract. The Town reserves the right to make changes in content or application of its policies as it deems appropriate. These changes may be implemented even if they have not been communicated, reprinted, or substituted in this handbook. It is also understood that nothing in this handbook or any other policy or communication changes the fact that employment is at-will, for an indefinite period, and can be terminated at any time by you or the Town.

The Town reserves the right to amend, modify or delete any policy or provision that is included in this handbook. Individuals other than the Select Board are not authorized to make any changes in policy. Of course, the Town will keep you informed and will let you know when we intend to make such changes, and written notification of any finalized changes.

The Town retains all managerial and administrative rights and prerogatives entrusted to it and conferred on employers inherently and by law. The work rules contained herein are not intended to be a comprehensive list of work expectation or prohibited conduct and management retains the right to take disciplinary action, including suspension or termination.

No employee or representative of the Town other than the Select Board or a Statutory Town Board has any authority to enter into an employment contract or to change the at-will employment relationship or make any agreement contrary to the foregoing.

1.3 Definitions:

"Department Head" - Any direct appointee by the Select Board, plus Town Clerk, Tax Collector and elected Chairs of Finance Committee and Planning Board.

"Employee" – any appointee or electee to a salaried or hourly position.

"Full-time employee," - an employee regularly scheduled to work a minimum of thirty seven (37) hours per week for fifty-two (52) weeks per year.

"Part-time employee," - an employee working fewer than thirty seven (37) hours per week for fifty-two (52) weeks per year on a regularly scheduled basis. All part-time employees are ineligible for benefits other than those provided herein and those mandated by law (i.e. Workers' Compensation, Jury Duty, etc.).

"Professional Employee" - The following jobs require specialized training; for these employees the Professional Employee Reappointment Form (appended) is used for their Performance Appraisal:

Accounting Officer; Treasurer; Highway Superintendent; Police Chief;  
Coordinator; and Assessors' Consultant      **Tax Collector**

"Professional Non-Salaried Employee" The following jobs require specialized training but are not subject to annual review:

Health Agent and Assistant Health Agent; Building, Plumbing, Wiring and Gas Inspectors and all Assistant Inspectors; Zoning Enforcement Officer and Assistant

1.4 Non-Discrimination and Equal Employment Opportunity

Non-discrimination and equal employment opportunity are the policy of the Town in all of its employment programs and activities. The Town recognizes the right of individuals to work and advance on the basis of merit, ability, and potential without regard to race, sex, color, disability, religion, national origin, sexual orientation, or age.

The Town and its employees will take affirmative measures to ensure equal opportunity in the areas of recruitment, hiring, promotion, demotion or transfer, layoff or termination, rates of compensation, in-service or apprenticeship training programs, and all terms and conditions of employment. This applies equally in relations with the public and all persons or organizations doing business with the Town.

1.5 Americans with Disabilities Act

The Town complies with requirements of the regulations contained in the U.S. Americans with Disabilities Act of 1990, including reasonable accommodation to the known physical or mental limitations of a qualified applicant or employee unless such accommodation will impose undue hardship on the Town.

Alcoholics and persons formerly addicted to drugs or undergoing rehabilitation are considered to have a disability under the terms of the ADA. However, the Town may discipline, discharge or deny employment to an alcoholic whose use of alcohol adversely affects job performance or conduct to the extent that he or she is not qualified for the position. Drinking Alcohol during working hours is strictly prohibited. Similarly any employee using illegal drugs is subject to immediate dismissal. The Town may ask

questions regarding the use of alcohol or illegal use of drugs and require drug testing as provided in these policies. (See also 5.7 Alcohol and Drug Free Workplace)

1.6 Sexual Harassment

The Town requires a workplace free of sexual harassment. Sexual harassment of employees occurring in the workplace or in other settings in which employees may find themselves in conjunction with their employment is unlawful and will not be tolerated. Further, any retaliation against an individual who has complained about sexual harassment or retaliation against individuals for cooperating with an investigation of a sexual harassment complaint is similarly unlawful and will not be tolerated.

Any allegations of sexual harassment will be investigated promptly and any such inappropriate conduct will be subject to corrective action including disciplinary action as needed. (See Attachment for the MA definition of Sexual Harassment and complaint procedure).

1.7 Discrimination Grievance

Anyone who feels that he or she has been discriminated against by the Town on the basis of race, sex, color, disability, religion, national origin, sexual orientation or age in employment practices may file a grievance.

Grievances concerning employment should be resolved at the lowest possible level – e.g. with the employee's immediate supervisor – if at all possible, although employees are always free to bring any issue to the Select Board. However, employees or any persons with a grievance may file a state or federal complaint or take court action at any time.

No retaliatory action will be taken against those persons who file complaints of discrimination on the basis of race, sex, color, disability, religion, national origin, sexual orientation, or age, or against individuals who cooperate in such investigations.

1.8 Dispute Resolution

Employees are encouraged to bring any problems or complaints regarding their work or other day-to-day relations with the Town to the attention of their supervisor.

If the matter remains unresolved after the discussion with the supervisor, the employee may appeal to the Select Board. The Board will investigate holding at its discretion public or private hearings, subject to the provisions of the Open Meeting Law, General Laws c. 39, §§23A-23C and 24, and act as it deems appropriate.

1.9 'Whistleblower' Policy

This policy is adopted pursuant to and in accordance with the Massachusetts Whistleblower Protection Act, 1992, Massachusetts General Laws, Chapter 149 (the "Act") and is designed specifically to protect such conduct and provide such remedies as are set forth in the Act.

The Town of Washington encourages the reporting by its employees of improper governmental action taken by Town officers, appointees or employees and will protect Town employees who have reported improper government actions.

The Town encourages initial reporting to the Select Board to promote expeditious

resolution of any such matter and to minimize any adverse impacts of improper action; however, employees or any persons observing improper governmental conduct may file a state or federal complaint at any time.

The Select Board will promptly investigate any report of improper governmental action, keeping the identity of the reporting employee confidential to the extent possible under the law, unless the employee authorizes the disclosure of his or her identity in writing. After an investigation has been completed, the employee reporting the improper governmental action shall be advised of the summary of the results of the investigation. Personnel actions taken as a result of the investigation may be kept confidential.

Town officials, supervisors and employees are prohibited from taking retaliatory action against a town employee who has in good faith reported an improper governmental action in accordance with this policy.

**1.10 Personnel Officer**

The Treasurer shall serve as the Personnel Officer for the Town, responsible for administration of the personnel system and maintenance of all personnel records.

**1.11 Amendments to these Policies**

Changes to the Appendices and attachments can be made at any time by vote of the Select Board with notification to the Personnel Officer, all Department Heads, and the affected employees. Changes to the body of these policies require unanimous consent of the Select Board.

**2.0 Job Descriptions and Recruiting**

**2.1 Job Descriptions:**

All Town employees must have a Job Description consistent with MGL where applicable.

Current positions and Job Descriptions are in Appendix 1

**2.2 Vacancies**

When a vacancy occurs or a new position created, the Select Board or Department Head will create a new job description or review the current job description and minimum qualifications, and essential functions of the position and recommend any needed changes for review and approval by the Select Board and Personnel Officer.

Job vacancy notices shall be developed by the Select Board or Department Head based on the job description, then advertised and posted as appropriate to the position. This may include bulletin boards, newspapers or other local periodicals, the unemployment office, websites and trade journals. Job notices should be posted for ten (10) business days. Job vacancy notices shall not be required for temporary appointments or for the temporary replacement of incumbents on approved leave status.

All postings and advertisements should include:

- a. Position title;
- b. Salary or salary range;

- c. A brief description of the duties;
- d. Minimum qualifications;
- e. Name and address to which to send applications; and
- f. An AA/EEO statement (see example in Appendix: Sample Posting)

### **3.0 Hiring**

#### **3.1 Immigration**

All employees hired after November 6, 1986, are required to provide, prior to employment, documentation which indicates their United States citizenship, or if not citizens, that they are legally authorized to work in the United States. The Personnel Office has the forms required for this purpose.

#### **3.2 Employment Applications**

All applicants for employment will complete an official employment application form that shall be retained by the appointing authority. The form will include a statement signed by the applicant certifying to the truthfulness and accuracy of all information provided on the form. Resumes may be accepted as supplements to the application, but not as substitutes. Language that should be included at the end of the Employment Application or an attached Release to the Application is found in an Attachment to this document.

#### **3.3 Screening/Interviewing**

The appointing authority, department head and/or Selection Committee will screen resumes and applications based on criteria established prior to receipt of resumes. Appointing authorities, department heads, or Selection Committee should follow standard procedures when screening resumes and conducting interviews. The following are general guidelines:

- a) Devise standard selection questions which are not gender, race biased, or otherwise discriminatory and use the same questions for all candidates;
- b) Screen resumes for minimum entrance requirements;
- c) Select candidates for interview, and send a letter to candidates not selected for interview;
- d) Notify successful candidates of selection (by telephone and/or mail) and then interview those candidates (if interview conducted by Town Boards and Committees it is subject to the provisions of the Open Meeting Law);
- e) Select candidates for final (or second) interview, contact references, and conduct final interviews;
- f) Select final candidate. Review offer to candidate with the Select Board and Personnel Officer to secure approval for starting compensation amount;
- g) Offer the candidate employment in writing; and

h) Notify unsuccessful candidates by telephone or by mail.

**3.4 Documenting the Selection Process**

After the vacancy is filled a file containing the job description, vacancy announcement(s), review of applications; and minutes taken during the deliberations of the appointing authority, department head, and/or the Selection Committee shall be created and retained by the Personnel Officer.

**3.5 Reference and Background Checks**

It is the policy of the Town to check references of all potential employees, it is the responsibility of the appointing authority to conduct reference checks on the final candidates they are considering to hire. The job applicant will be asked to provide at least three references from previous employment. The appointing authority/designee will make at least one attempt to contact each reference, and keep careful written records of having done so. The appointing authority/designee may request information about a job applicant from a previous employer, or other source even if it is not one of the three references listed by the employee.

To ensure compliance with EEO practices, the Select Board will review all selection decisions prior to any public announcement. After an offer of employment has been accepted all unsuccessful candidates will be notified in writing.

Before a candidate can be hired he or she must have a CORI (Criminal Offender Registry Inquiry) check when permitted by Law. In addition anyone being hired for a position requiring the use of town owned vehicles must have a pre-employment physical including drug testing and a driving record inquiry. Positions requiring a physical and driving inquiry include, but are not necessarily limited to: Bus Driver, Highway Superintendent, Highway Crew Member, and Police Chief. A Release Form to be filled out by the candidate is appended to this document; the Town's CORI Policy is printed on the second page of the Release Form.

If, as a result of the CORI check, physical and driving record inquiry, the Select Board decides to reject the candidate, the applicant will be notified immediately and be provided with appropriate documentation and an explanation of what adverse results caused the rejection.

Employees in positions requiring specialized training, e.g. police chief, accounting officer, etc., may be required to provide proof of such training as a condition of their employment.

Background checks will be coordinated through the Personnel Officer.

**3.6 Offer of Employment**

The Select Board/Department Head will make a written offer of employment that contains the rate of pay, hours of work, starting date for employment, and other relevant information including any required background checks. A copy of the offer will be provided to the Personnel Officer. Each new employee should consult with the Personnel Officer during the first week of employment to ensure compliance with all legal requirements and facilitate enrollment in health insurance plans and the retirement

system, as appropriate.

### 3.7 Hiring Documentation

The following documentation should be compiled by the Personnel Officer along with the Application for Employment prior to the employee's first day of work:

- a. Payroll Authorization Form.
- b. Employment Eligibility Form (I-9).
- c. Pre-Employment Physical Examination Form, if applicable.
- d. Copies of any required licenses or certificates.
- e. Verification of completed CORI check.
- f. Copy of Drug and Alcohol Test results if applicable.

During the first week of employment, the employee must submit:

- a. W-4 tax withholding form;
- b. Retirement form;
- c. Health insurance enrollment form or waiver

In addition, each new employee will be given a copy of this document and be asked to sign an acknowledgement of receipt (attached) which will be kept in the employee's personnel file.

### 3.8 Probationary Period

During the first ninety (90) days of employment an employee is considered to be probationary. Probationary employees are not eligible for sick leave or to use any accrued vacation. Probationary employees shall have no rights to contest the termination of their employment during the probationary period. Termination within the probationary period includes loss of any accrued benefits. Probationary employees will ordinarily receive an appraisal of their performance prior to the end of the probationary period. Review forms are appended to this document. The employee at the conclusion of the probationary period is still an at-will employee and subject to the statements contained in paragraph 1.2 of this Personnel Policy.

### 3.9 Temporary and Seasonal Employment

Any Town position listed in the Appendix may be filled on a temporary or seasonal basis if authorized by the Select Board.

Temporary and seasonal employees are not entitled to benefits such as health insurance, paid holidays, or accrued leave, regardless of the number of hours worked per week.

Temporary and seasonal appointments must not exceed six (6) consecutive months; length of appointment must be stipulated.

Temporary/seasonal appointments should follow the Town's recruitment and hiring procedures to the extent practicable.

**3.10 Employment of Minors**

The Town will comply with all laws of the United States and the Commonwealth of Massachusetts in the area of child labor. (See Attachment B).

**3.11 Required Licenses and Certifications**

The Personnel Officer will keep track of all required licenses and certifications and notify the employee when they need to be renewed. When a professional license or certification is required for a position, it is the responsibility of the employee to make sure that it is kept up to date. Upon renewal of the license or recertification a copy is to be given to the Personnel Officer for inclusion in the personnel file. The cost of any license, certification or renewal required for a position is the responsibility of the employee. If an employee fails to renew, or loses a required license or certification this may result in immediate dismissal from employment.

**3.12 Termination - Exit Interview**

An exit interview should be scheduled by the Personnel Officer with all employees who are leaving the employment of the Town. This interview is to provide the employee with information regarding applicable unemployment, retirement, and COBRA benefits available to them as well as, to allow the Town to gather additional information as to the circumstances surrounding the employee's resignation or termination.

The exit interview form is appended to this document.

**4.0 General administration**

**4.1 Salary**

The Select Board shall annually review the Town's current positions listed in the enclosed Appendix and determine a pay range for each in cooperation with the Finance Committee. Individual pay rates are determined at hiring, after a probationary review, and at the annual review for each employee.

**4.2 Hours of Work and Work Schedules**

Each employee's hours of work shall be determined by each Department Head with notification to and agreement of the Select Board.

The primary consideration should be the efficient conduct of the Town's business, with consideration for seasonal or other workload requirements, as well as the convenience of the employee.

**4.3 Pay Period/Pay Day/Deductions/Overtime Pay/Call-In, Call-Back Pay**

Full and part-time hourly employees are paid on a bi-weekly basis. The payroll period begins on Saturday and ends on Friday. All employees are required to use direct deposit, pay stubs will be mailed to home addresses. Mandatory payroll deductions are made, depending upon the number of exemptions claimed, for federal and state income tax. Optional payroll deductions are made based on your authorization for health insurance, dental insurance and life insurance.

All employees shall be considered probationary during their first six (6) months of employment. Notwithstanding any provision of this Agreement to the contrary,

probationary employees may be dismissed with or without cause, and employees shall not have any access to the grievance procedure during their probationary period.

The normal workday schedule for the Highway Department shall be 6:30AM to 3:00PM.

- Time and one half will be paid for hours over eight (8) in one day, provided the employee works his regularly scheduled hours of work that week.
- Time and one half will be paid over forty (40) hours of actual work in one (1) week.
- Time and one half will be paid for hours worked on Saturday and Sunday provided the employee has worked his regularly scheduled hours of work that week.
- Double time will be paid for hours worked on all Town holidays, provided the employee has worked his regularly scheduled hours of work that week.
- The same hours are not used for overtime eligibility more than once (do not pay overtime on overtime). Scheduled hours not worked, which are paid and which count toward overtime are: Personal Time, Sick Time, Holiday, Vacation days, Death in Family, Reserve Military Duty, Jury Duty and Court Appearance under subpoena.

If an employee is called back to work after completing a work shift, or called in to work on a scheduled day off, the employee will be paid for all hours worked, but will be guaranteed a minimum of three (3) hours for winter road work and two (2) hours for all other purposes. **Exception: the Highway Superintendent will be paid a single hour of overtime for attendance at the weekly Select Board meeting, or time actually spent at the meeting if over one hour.**

Amended during 1/25/2016 and 9/26/2016 Select Board Meeting

### Compensatory Time

Compensatory time may be utilized in lieu of overtime, with the prior approval of the Department Head. An employee can use "comp time" within the fiscal year it was accrued.

### 4.4 Performance Appraisal

The purposes of the Performance Appraisal are to:

- 1 Continuously improve the effectiveness and efficiency of Town services,
- 2 Provide an opportunity for two-way communication and planning between employees and supervisors.
- 3 Assist employees in increasing the effectiveness of their job performance.
- 4 Provide a mechanism for the establishment of individual and department goals.
- 5 Serve as the basis of acknowledging employee's accomplishments and recognizing employee's potential need for guidance, training, and/or support.
- 6 Provide documentation of employee performance to serve as the basis for salary

adjustments and personnel actions.

All Town employees will be evaluated:

- 1 During February of each year
- 2 Before the end of their probationary period (see 3.8)
- 3 At other times at the discretion of the Select Board or Department Head

The Administrative Assistant to the Select Board will maintain an annual review schedule of performance appraisals, provide employees and supervisors with forms prior to a review, and provide copies of the completed review to the Personnel Officer, supervisor and employee.

The Personnel Officer will keep completed reviews in the employees' official personnel files.

Performance appraisals are done in Open Session if done by the Select Board.

In any given year the Select Board may exempt Professional Employees earning minimal wages (e.g., assistant inspectors) or part-time help from a Performance Appraisal.

#### 4.5 Holidays and Holiday Pay

Full-time and Part-time hourly employees shall be entitled to the following paid holidays

after one month's service. 1	New Year's Day	8	Labor Day
2	Martin Luther King Jr. Day	9	Columbus Day
3	President's Birthday	10	Veterans Day
4	Patriots' Day	11	Thanksgiving Day
5	Memorial Day	12	Christmas Day
6	Independence Day	13	Floating Holiday

Full-time employees shall be paid eight (8) hours holiday pay. Holiday pay for part-time employees shall be for the number of hours the employee would otherwise be scheduled to work. Temporary or seasonal employees shall not receive holiday pay.

Employees performing their official duties on a holiday (i.e. DPW employees working through a snow storm) on a holiday shall be paid at double their normal rate of compensation.

**4.6 Breaks**

All full time employees are entitled to (2) two (15) fifteen minute paid breaks per day, and an unpaid lunch period of (30) thirty minutes per day.

**4.7 Sick Days**

No sick leave is paid until ninety (90) days after the start date of employment. Workers in Massachusetts have the right to earn and use up to 40 hours of job-protected sick time per year to take care of themselves and certain family members. Workers must earn at least one hour of earned sick leave for every 30 hours worked. Unused sick days will continue to accrue from year to year. Any unused sick days at retirement will be compensated to the employee by the Town at a rate of 7% of face value. Any illness which is more than (5) five days in duration must be verified by a physician before compensation may be made. Medical absences falling under the Family and Medical Leave Act must also be verified in accordance with Federal Law.

**4.8 Vacation**

Full time employees accrue vacation on their anniversary date of hire according to the following schedule:

After 1 <sup>st</sup> year	10 days
After 2 <sup>nd</sup> year	11 days
After 3 <sup>rd</sup> year	12 days
After 4 <sup>th</sup> year	13 days
After 5 <sup>th</sup> year	14 days
After 6 <sup>th</sup> year	15 days
After 7 <sup>th</sup> year	16 days
After 8 <sup>th</sup> year	17 days
After 9 <sup>th</sup> year	18 days
After 10 <sup>th</sup> year	19 days
After 11 <sup>th</sup> year	20 days (etc. Each year of service, you earn one day of vacation)

Employees may carry forward one half (1/2) of the annual total of their unused vacation leave up to a maximum of eight (8) weeks. Any employee carrying forward more than eight (8) weeks shall lose the time over eight (8) weeks. Vacation leave may be taken in four (4) hour increments to allow employees to tend to personal business.

Vacation leave shall not accumulate during any leave of absence without pay or during a lay-off. Vacation leave shall continue to accumulate during a leave of absence with pay, or during an authorized leave of absence due to an injury occurring while on duty, up to one year.

If a paid holiday occurs within an employee's vacation period, the day of the holiday shall not be charged against accrued vacation, and the employee shall be paid for the holiday.

Vacation should be scheduled at least three (3) weeks in advance with the concurrence

of the Department Head or Select Board based on the employee's direct reporting responsibility.

#### 4.9 Injury on Duty

The following procedures shall be followed in order to comply with the policies of the Town and relevant state statutes with regard to work-related illnesses or injury.

##### 4.9.1 Reporting

Whether or not medical attention is sought, an employee who suffers an alleged work-related illness or injury must submit a written report to the Department Head within 48 hours of illness or injury.

The Department Head must inform the Personnel Officer of any report of illness or injury. Notice of employee injury requiring hospital admission should be provided to the Personnel Officer immediately.

##### 4.9.2 Convalescence/Workers' Compensation

1. An employee who has been approved for Workers' Compensation status shall not engage in any gainful employment without providing written permission of the employee's treating physician to the Select Board.

2. When so ordered, an employee who has been approved for Workers' Compensation benefits shall report for physical/psychological examinations, including Independent Medical Examinations (IME's) at reasonable intervals to determine whether the treatment being sought is appropriate or whether the employee is still incapacitated.

3. An employee who has been approved for Workers' Compensation shall comply with all requests for information, or other medical case management requirements, related to the illness/injury, by the Town or its insurer.

4. In accordance with General Laws c. 152, §69, employees who are incapacitated from working due to injuries arising out of, and in the course of employment, may apply accrued and unused sick leave or vacation leave to supplement compensation received because of such injuries, from insurance or other sources, so they may continue to receive their full salary or wages while disabled.

#### 4.10 Leave Policy

All requests for a leave of absence should use the Leave of Absence request form (appended) which should, except for sick and bereavement leave, be submitted to the Department Head or Select Board as much in advance as possible.

##### 4.10.1 Non-Occupational Sick Leave

Payment of non-occupational sick leave benefits shall be made at the regular time for payment of wages.

Sick leave shall not be available for injury, illness or disability that is self-imposed or results from the use of alcohol or drugs.

A part-time employee working a minimum of five (5) hours per week shall be granted sick leave credits in the same proportion that their part-time service bears to full time service, upon completion of the probationary period, subject to the conditions outlined above.

The Department Head or Select Board may at their discretion investigate the validity of a request for non-occupational sick leave and may require a physician's certificate.

#### **4.10.2 Funeral Leave**

In the event of a death in an employee's family, three (3) days paid leave will be granted. Family members who are included are as follows: spouse, child, stepchild, mother, father, sister, brother, mother-in-law, father-in-law, grandparent, and grandchild. This applies to both full and part-time employees.

#### **4.10.3 Jury Duty**

A full-time or part-time employee whose service as a juror makes it impossible or impractical to work the hours necessary to earn his or her normal week's pay will be compensated for the difference between jury duty pay and the employee's normal weekly earnings.

#### **4.10.4 Military Leave**

All permanent full-time and part-time employees who are members of the ready reserve of the armed forces shall be granted leave without pay not to exceed seventeen (17) days per calendar year in order to receive military training. Employees shall provide notice of the date of departure and date of return in a timely fashion.

Absence from work for military training as provided in this section shall not affect the employee's right to receive normal vacation, sick leave or other benefits.

Military Caregiver leave can be up to 26 weeks if an employee needs to care for a spouse, son, daughter, parent, or next of kin who is a covered service member with a serious injury or illness. In addition, Qualifying Exigency leave for an employee whose spouse, son, daughter, or parent is a military member of the National Guard or Reserves and is on active duty, or has been notified of an impending call or order to active duty, in support of a contingency operation, for a qualifying exigency can be granted. (See Attachment).

#### **4.10.5 Family and Medical Leave**

The Town shall comply with the mandatory provisions of the Family and Medical Leave Act of 1993 and as amended. The Personnel Officer shall ensure compliance with those regulations either personally or by delegation, or by some combination of personal oversight and delegation.

##### **Leave without Pay**

Employees may take leave without pay when they have exhausted their leave benefits and need additional leave to cover personal illness; the illness of a spouse, child, or parent; the birth or adoption of a child; for any "qualifying exigency" arising out of the fact that the employee's spouse, son, daughter, or

parent is on active duty, or has been notified of an impending call or order to active duty as a member of the National Guard or Reserves, in support of a contingency operation; or to care for a covered servicemember with a serious injury or illness if the employee is the servicemember's spouse, son, daughter, parent, or next of kin.

An employee is not entitled to leave without pay unless that employee has been employed for at least twelve (12) months by the Town\* and that employee has worked at least 1250 hours in the previous 12 month period or has a salaried position of at least .5 F.T.E.s

- \* While the twelve (12) months of employment need not be consecutive, employment periods prior to a break in service of seven (7) years or more need not be counted unless the break is occasioned by the employee's fulfillment of his/her National Guard or Reserve military obligation (as protected under the Uniformed Services Employment and Reemployment Rights Act (USERRA)), or a written agreement, including a collective bargaining agreement, exists concerning the employer's intention to rehire the employee after the break in service.

Extent of leave:

An eligible employee may take up to twelve weeks (or twenty-six (26) weeks if leave to care for a covered service member with a serious injury or illness is also used) of leave total during a twelve (12) month period, including any paid leave used. The employee must exhaust all sick leave as per contract, available paid vacation leave and personal leave before being entitled to take leave without pay.

Definitions:

"Child" means a son or daughter, whether biological, adopted, foster child, a stepchild, legal ward or child to whom the employee stands in loco parentis, if the child is either under the age of eighteen (18) years or is incapable of self-care because of a mental or physical disability.

"Health care provider" means a doctor of medicine or osteopathy who is authorized to practice medicine or surgery by the state where the doctor practices, or any person determined by the Secretary of Labor to be capable of providing health care services.

"Intermittent Leave" means leave taken in whole day periods but less than a whole work week.

"Parent" means a biological parent of an employee or an individual who stood in loco parentis to an employee when the employee was a child.

"Reduced leave schedule" means a leave schedule that reduces the usual number of hours per work week, or hours per workday, of an employee.

"Serious health condition" means an illness, injury, impairment, or physical or mental condition which involves either inpatient care (i.e., an overnight stay) in a hospital, hospice, or residential medical care facility, including any period of incapacity (i.e., inability to work, attend school, or perform other regular daily activities) or subsequent treatment in connection with such inpatient care;

or continuing treatment by a health care provider, which includes a period of incapacity lasting more than three (3) consecutive, full calendar days, and any subsequent treatment or period of incapacity relating to the same condition, and also includes: treatment two (2) or more times by or under the supervision of a health care provider (i.e., in-person visits, the first within seven (7) days and both within thirty (30) days of the first day of incapacity); or one (1) treatment by a health care provider (i.e., an in-person visit within seven (7) days of the first day of incapacity) with a continuing regimen of treatment (e.g., prescription medication, physical therapy); or any period of incapacity related to pregnancy or for prenatal care. A visit to the health care provider is not necessary for each absence; or any period of incapacity or treatment for a chronic serious health condition which continues over an extended period of time, requires periodic visits (at least twice a year) to a health care provider, and may involve occasional episodes of incapacity. A visit to a health care provider is not necessary for absence; or a period of incapacity that is permanent or long-term due to a condition for which treatment may not be effective. Only supervision by a health care provider is required, rather than active treatment; or any absences to receive multiple treatments for restorative surgery or for a condition that would likely result in a period of incapacity of more than three (3) days if not treated.

"Spouse" means a husband or wife, as defined by state law.

"Twelve Month Period" the preceding twelve-month period from when the leave commences.

#### Types of Leave without Pay

Personal Medical Leave without Pay: The Town may grant a medical leave of absence without pay to an employee who, because of a serious health condition is unable to perform the functions of his or her job. An employee must exhaust all available sick leave before taking leave without pay.

#### Medical Certification

The Town may require a medical certification from the employee's health care provider, stating the date on which the health condition began, the probable duration of the condition, the appropriate medical facts within the health care provider's knowledge regarding the condition, a statement that the employee is unable to perform the functions of his/her job.

If the Town has reason to doubt the validity of the medical certification provided by the employee's health care provider, the Town may require, at the Town's expense, a second opinion. The employee must obtain the opinion of the Town's designated health care provider concerning the information above.

The health care provider giving the second opinion may not be a person regularly employed by the Town. If the second opinion conflicts with the first, the Town may require, at the Town's expense, a third opinion. The third health care

provider's opinion shall be final and binding on the Town and the employee. The Town may require an employee on medical leave without pay to provide medical certifications at reasonable intervals.

If the necessity for leave is foreseeable based on planned medical treatment, the employee shall make a reasonable effort to schedule the treatment so as not to disrupt unduly the operations of the town, subject to the approval of the employee's health care provider and shall give the employee's supervisor at least thirty (30) days' notice, before the date the leave is to begin, of the employee's intention to take personal medical leave without pay, except that if the date of treatment requires the leave to begin in less than thirty (30) days, the employee shall provide such notice as practicable.

If the necessity for leave is foreseeable less than thirty (30) days in advance, the employee must provide notice as soon as practicable – generally, either the same or next business day. If the necessity for leave is not foreseeable, the employee must provide notice to the employer as soon as practicable under the facts and circumstances of the particular case.

Absent unusual circumstances, employees must comply with the employer's usual and customary notice and procedural requirements for requesting leave.

The employee may take intermittent leave or take leave on a reduced leave schedule when medically necessary.

#### Returning to Work

Before the employee may resume work, the employee must present his or her supervisor with written medical certification from the employee's health care provider that the employee is able to resume work. If reasonable safety concerns exist, the Town may, under certain circumstances, require such a certification for employees returning from intermittent FMLA leave. When returning to work the employee must be capable of performing the essential functions of his/her position.

#### 4.10.6 Maternity Leave

In accordance with General Laws c.149, §105D and 804 Code of Massachusetts Regulations 8.0, The Town provides pregnancy disability leaves of absence to eligible employees who are temporarily unable to work due to a disability related to pregnancy, for childbirth, or related medical conditions, and leaves of absence in order to adopt a child (or children).

Employees who have completed three (3) months of employment in a full time position are eligible to request pregnancy disability or maternity leave as described in this policy.

Employees should make requests for pregnancy disability leave, childbirth, or adoption leave to their supervisors at least thirty (30) days in advance of foreseeable events and as soon as possible for unforeseeable events. Requests must be in writing and include the anticipated start of the leave and the intention to return with an anticipated date.

Pregnancy disability leave, childbirth, and adoption leave will be concurrent with the benefits of other types of leave such as FMLA and medical leave. If the employee is eligible under the guidelines of the Massachusetts Maternity Leave Act, the portion of the leave that may extend beyond the date of childbirth will be counted toward fulfillment of the requirements of that Act.

A health care provider's statement must be submitted verifying the need for pregnancy disability leave or childbirth and its beginning and expected ending dates. Any changes in this information should be promptly reported to the Town. Employees returning from pregnancy disability leave or childbirth must submit a health care provider's verification of their fitness to return to work.

Employees are normally granted leave for the period of disability up to a maximum of eight (8) weeks per child or adoption (see also FMLA policy for potential greater leave entitlement). Employees will be paid accrued sick time until benefits are exhausted, and then paid accrued personal, or vacation time available following the guidelines of the general leave policies. Employees may choose to be in an unpaid leave status for any period covered under the Massachusetts Maternity Leave Act (MMLA). For all other disability time, or if the employee chooses to be paid for a period of disability under the MMLA, payment of accrued sick time will occur before the other categories of accrued time are used as described above and following the guidelines of the general leave policies.

Subject to the terms, conditions, and limitations of the applicable plans, and general leave policies, the Town will continue to provide health insurance benefits for the full period of the paid, approved pregnancy disability leave, childbirth or adoption leave. Employees are required to pay the same deductions they paid prior to the commencement of the leave. Payments not made within thirty (30) days of their due date will trigger cancellation of health insurance coverage. Insurance benefits may be available during the period of unpaid leave, if the employee is also eligible under the terms of the Family and Medical Leave Act, subject to the Family and Medical Leave Act policy (see FMLA Leave Policy). If an employee fails to return from maternity leave, the Town may seek reimbursement from the employee for the portion of the premiums it paid on behalf of the employee (also known as the employer contribution) during the employee's leave.

So that an employee's return to work can be properly scheduled, anyone on pregnancy disability leave, childbirth, or adoption leave is requested to provide the Town with at least two (2) weeks advance notice of the date he/she intends to return to work.

When a leave ends, the employee will be reinstated to the same position, unless either the job ceased to exist because of legitimate business reasons, or if the job could not be preserved due to operational needs. If the same position is not

available, the employee will be offered a comparable position in terms of such issues as pay, position, and shift. The employee's restoration rights are the same as they would have been had the employee not been on leave.

Thus, the employee will be subject to any pay or benefit reductions or other adverse actions, including layoffs that he/she would have experienced if he/she had not taken leave under this policy.

An employee is not entitled to seniority or benefit accrual during periods of unpaid leave, but will not lose any seniority or accrued benefits earned prior to the leave.

Failure to report to work promptly at the end of the pregnancy disability leave, childbirth, adoption leave or family medical leave (FMLA) will be considered a voluntary resignation.

#### **4.10.7 Small Necessities Leave**

In accordance with General Laws c. 149, §52D, an eligible employee is entitled to a total of 24 hours of leave during a twelve (12)-month period, to participate in school activities directly related to the educational advancement of the employee's child; to accompany the employee's child to routine medical or dental appointments, and to accompany an elderly relative as defined in section 52D to routine medical or dental appointments or other professional services related to the elder's care. Leave under this provision is in addition to the twelve (12)-weeks leave provision and may be taken on an intermittent or reduced leave schedule. Family business leave shall be unpaid; unless the employee applies any paid leave that he or she has available.

#### **4.10.8 Unpaid Leave of Absence**

The Select Board may grant an employee, excluding those classified as seasonal or temporary, leave of absence without pay. Leave without pay shall not be considered as a privilege, but shall be granted only when it serves to promote the mutual benefit and interests of the employee and the Town.

An employee on unpaid leave:

- May elect to be paid for any accrued vacation
- Does not accrue benefits
- Is not entitled to insurance benefits paid by the Town, but may pay the full cost for and retain membership in the Town's plans for health and life insurance.

Failure of an employee on leave to report for duty at the date designated and approved initially or upon renewal shall constitute resignation.

#### **4.11 Personnel Records**

Personnel files will be kept in accordance with the provisions of General Laws, c.149, S.52C. A centralized personnel file shall be kept for each employee by the Personnel Officer. Each file should include applications, evaluations, reports, and records pertinent to an employee's employment. To ensure the uniformity and confidentiality of employee

personnel files, content of and access to files is limited and shall be controlled in accordance with this policy.

It is the policy of the Town that all employees shall comply with the laws governing public records and confidential information. No employee shall knowingly or willingly release confidential personnel information, nor shall employees refuse to provide public information. Town employees have a diminished expectation of privacy as public employees.

4.11.1      *Content*

Pre-employment documents such as applications, resumes, copies of required licenses, offer of employment letters, copies of transcripts or diplomas, pre-employment physical reports, acknowledgement of receipt of personnel policies, military discharge documentation, and other similar materials shall be included in the personnel file. In addition, post-employment documents such as performance appraisals, disciplinary action notices, physician's statements, commendations, copies of information sent to the employee, or to third parties about the employee, etc. will be included in the personnel file. When post-employment information is inserted into an employee's personnel file (excluding routine paperwork), he/she shall be given a copy of such material by the Personnel Officer.

The Personnel Officer will keep all medical-related information segregated and secured in a locked file cabinet.

4.11.2      *Removal of Materials*

Once inserted into an employee's personnel file, documents may only be removed if there is a clear and compelling reason to do so. An employee may request the removal of documents; the Select Board will determine whether any removal is appropriate.

4.11.3      *Location and Security*

Employee personnel files will be maintained in the Personnel Department at Town Hall under the supervision of the Personnel Officer who will be responsible for their safety and security. Department Heads may keep duplicate copies of personnel records provided that these personnel records are considered to be part of the employee's personnel record and must be shown to the employee upon request.

4.11.4      *Access*

An employee, upon written or verbal request and in the presence of the Personnel Officer or designee, may review, add rebuttal to a particular document, or be provided with a copy of all or part of his/her personnel file. An employee now or formerly in the employ of the town may see and/or receive a copy of his or her own personnel records by asking in person or in writing. If a copy of the personnel file is requested, it will be submitted within five calendar days of the request.

Other individuals authorized access to employee personnel files include:

the Select Board; the Personnel Officer and/or designee; attorneys representing the employee who have written authorization from the employee; the Department Head; attorneys or their agents representing the town; and third parties in response to a court order.

Authorized employees may respond to requests for verification of employment from banks, mortgage companies, credit card agents, etc. by providing basic public information such as length of service and salary rate. Employees who receive requests for personnel information other than employment verification, even that which is public record should refer such requests to the Personnel Officer or his/her designee.

**4.12 Insurance Benefits**

After 30 days full time employees are entitled to participate in the Town's group insurances including health, dental and life. The employees share is currently 25% with the town's share being 75%. Part time positions regularly requiring at least 20 hours per week are also entitled to participate in the Town's group insurances. Group health, dental and life insurance are available with the employees share for a part-time position currently at 67% with the town's share being 33%. The town does not offer group insurance for temporary, seasonal or part-time employees in positions requiring less than 20 hours per week.

**4.13 Employee Support**

The Town's Employee Assistance Program, Employee Services Inc., can be contacted at 800-252-4555.

**5.0 Standards of Conduct**

**5.1 General Conduct and Standards**

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 scheduled 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.

Failure to behave in a manner consistent with the standards of conduct and policies may result in disciplinary action. See Appendix.

**5.2 Confidential Information**

Town employees often learn of personal information about residents of the Town and

other confidential information. Confidential information of any sort is not to be discussed with anyone, including co-workers unless necessary in the line of duty. In addition, this type of conversation is not to be discussed in corridors, eating areas or anyplace other than the work site.

5.3 Telephone Calls and Mail Use

Town employees are expected to use their home addresses to receive personal mail.

Use of town stationary or postage for personal mail is not permitted.

When answering the phone speak in a pleasant tone of voice. Always identify yourself and where you are located. If you must refer your caller to another department explain clearly why you are doing this.

While personal calls are sometimes necessary, employees are asked to limit these to essential situations. Employees are not to make personal long distance calls without the permission of the Department head or Personnel Officer. This keeps the town's cost down and leaves telephones free for necessary town business and allows you to make the best use of your working time.

5.4 Tardiness and Failure to Report to Work

All employees are expected to begin their assigned duties at the start of the regularly scheduled workday. Tardiness and failure to report to work are viewed as unacceptable job performance and may be grounds for progressive disciplinary action, or termination from employment at the discretion of Town.

An employee who anticipates that he or she will be tardy or absent must notify his or her supervisor in a timely manner. Employees will be required to provide a reasonable explanation of their tardiness or absence and may be required to provide documentation.

5.5 Dress Code

Employees are expected to dress in a manner consistent with their work environment and their stature as representatives of the Town. Department Heads and the Select Board may set additional policies as needed.

5.6 Safety

The Town of Washington is committed to providing a safe work environment. Department Heads are responsible for developing safety guidelines to address safety concerns unique to their work area and required to maintain a safe working environment. Failure to do so may result in disciplinary action. Employees encountering a dangerous situation are required to bring it immediately to the attention of their supervisor and/or the Select Board.

5.7 Workplace Violence/Possession of Weapons

The Town maintains a zero tolerance policy toward workplace violence, or the threat of violence, by any of its employees, the general public, and/or anyone who conducts business with the Town. With the exception of authorized police personnel, and the use of pepper spray by the Animal Control Officer, any employee found in possession of a weapon in any town workplace to the effect that this person would be subject to an immediate two (2) week suspension without pay if so violated No employee may be in

possession of a firearm or other dangerous weapon as defined under GL 269 #10.

Workplace violence includes, but is not limited to harassment, threats, physical attack, or property damage. A threat is the expression of intent to cause physical or mental harm regardless of whether the person communicating the threat has the present ability to carry out the threat and regardless of whether the threat is contingent, conditional or future.

Any incident of violent behavior whether the incident is committed by an employee or an outsider must be brought immediately to the attention of their supervisor, who must inform the Personnel Officer, the Police Department and the Select Board.

Any employee who acts in good faith by reporting real or implied violent behavior will not be subjected to any form of retaliation or harassment. Any action of this type resulting from a report of violence must be reported to the appropriate management staff for investigation and decision regarding proper action.

## 5.8 Drug Free Workplace including Alcohol and Drug Testing Policy

The use of controlled substances is inconsistent with the behavior expected of employees and subjects the Town to unacceptable risk of workplace accidents or other failures that would undermine the Town's ability to operate effectively and efficiently.

The use, sale, possession or being under the influence of intoxicating beverages or illegal non-prescription drugs while on duty is considered cause for immediate discharge.

Further prohibited and considered cause for discharge is the use, sale, possession, distribution, dispensation, manufacture, or transfer of controlled substances on non-working time to the extent that such use impairs an employee's ability to perform his/her job or where such use, sale, possession, distribution, manufacture or transfer affects the reputation of the Town to the general public or otherwise threatens its integrity.

The Town recognizes that drug dependency is an illness and a major health problem. The Town's objective is to prevent conviction for drug related offenses prior to their occurrence. Employees who wish to obtain help in dealing with such problems are encouraged to contact the Personnel Officer, Public Health Nurse, or their health insurance provider for assistance. Conscientious efforts to seek such help will not jeopardize an employee's job, and will not be noted in any personnel record.

At the discretion of the Select Board any Town employee while on duty may be subject to testing for drug or alcohol use where there is reasonable grounds for believing the employee is under the influence of drugs or alcohol. The grounds for reasonable suspicion shall be documented and verified by a second person when possible. Failure to comply shall constitute grounds for immediate dismissal.

### Random Testing:

This provision applies to any employee who is required to have a CDL license as part of his/her work responsibilities. Random drug testing will be on a random, unannounced basis just before, during, or after performance of safety sensitive functions. An employee who tests positive may be subject to immediate termination from employment.

If the Select Board determines either with regard to a Reasonable Suspicion or Random

Testing which results in a positive alcohol or drug test that the Select Board is willing to give the employee a second chance, the following conditions shall apply:

1. The employee will be suspended without pay for a period of time as determined by the Select Board;
2. The employee will be required to attend EAP counseling sessions, or seek treatment from the employee's health care provider;
3. The employee will not be permitted to return to work until the employee has a negative drug test. This drug test will be at the employee's own expense.
4. The employee will be subject to up to three (3) random drug tests per year for a five year period following the employee's return to work. Any employee who fails a test during the above time period shall be subject to termination.

#### **5.9 Conflict of Interest/Financial Disclosure**

Town employees must comply with the requirements of Chapter 268A of the Massachusetts General Laws that governs conduct as a public official or public employee.

The purpose of the conflict of interest law is to ensure that a public employee's private financial interests and relationships do not conflict with his or her public obligations to act objectively and with integrity. The law is broadly written to prevent a public employee from becoming involved in a situation which could result in a conflict or give the appearance of a conflict.

Conflict of interest situations include but are not limited to:

- Taking Bribes
- Accepting Gifts (the law allows up to \$50; the Town's policy is ZERO)
- Acting on Own/Family's/Business' Financial Interests
- Obtaining Municipal Contracts and Multiple Jobs – employees are generally prohibited from obtaining municipal contracts or additional positions. (The law does allow multiple *appointments* to be made by the Select Board; this is a special provision of the law for small towns such as ours)
- Misuse of an Official Position to obtain unwarranted privileges for themselves or anyone else.
- Accepting outside employment inherently incompatible with a public position.
- Representing Private Parties in Town Matters.

In any remotely questionable situation employees are encouraged to get advice and an advisory opinion from the State Ethics Commission at (617) 371-9500.

#### **5.10 Computer, E-Mail and Internet Use Policy**

The Town of Washington provides staff with computer equipment and the ability to communicate and receive information using electronic mail and the Internet. The Town

utilizes this technology to improve staff efficiency and communication, and to serve the public more effectively. These computer resources are the property of the Town of Washington and should be used for appropriate business purposes only. Town employees are expected to use their access to electronic mail and the Internet in a responsible and informed way.

The Town allows users the privilege of internet access for limited personal use, such as looking at home pages and sending e-mails to friends. Any personal use of the Internet must be on the employee's own time, and must not interfere with the Town's operation or the user's work responsibilities. Further, users must realize that they represent the Town while using Town equipment and act accordingly.

Unauthorized use of computer equipment or the internet including e-mail includes but is not limited to:

- Pirating, duplication or installation of unauthorized software.
- Any promotion, product endorsement or other commercial enterprise
- Political lobbying or solicitation of any religious cause.
- Disparagement of any individual or group
- Hacking
- Personal gain

In case of doubt users are encouraged to consult the Department Head, Personnel Officer, or the Select Board.

Confidential information should never be transmitted to anyone not authorized to receive such information, including other unauthorized Town employees.

The privacy and confidentiality of e-mail transmissions cannot be assured. E-mail transmissions may be subject to disclosure through legal proceedings or otherwise through various laws that may be held to apply to such transmissions. Further, users need to take into consideration the applicability of the open meeting law when participating in an electronic conversation through email, chat or other such method of electronic communication.

The Town reserves the right for legitimate business purposes to monitor, review and retrieve any information stored on or transmitted with Town equipment and, therefore, users should not have an expectation that their e-mail communication, or documents stored on Town equipment, will remain private.

Any employee who violates this policy or uses the Town's computer system for inappropriate purposes shall be subject to disciplinary action, up to and including termination of employment

#### **5.11 Membership in Professional Associations Publications**

The Town supports and encourages employees to join and participate in organizations or associations related to their municipal position or professional discipline. Subject to prior budget authorization Town expense and work time may be devoted to such organizations. This includes but is not limited to:

- Payment of dues to professional associations that promote professional development, or to propose and advocate for legislation in support of

municipal interests.

- Payment of registration fees, expenses, and paid leave from work for attendance at in-state conferences held to promote the training, education or the professional development of participants.
- Payment for periodicals that enhance professional development.

All employees are encouraged to publish articles in professional, technical and scholarly journals. To protect the integrity of Town government, all such articles should bear the following caveat: "This article represents the opinions and conclusions of the author and not necessarily those of the Town of Washington."

#### 5.12 Municipal Vehicle Use Policy

Certain job positions require employee access to municipal vehicles, either during the work shift or on a 24-hour on-call basis. Town vehicles are not personal vehicles and are not for personal use. Town vehicles should be viewed as belonging to the citizens of the Town and are assigned solely for the purposes consistent with providing services to those citizens.

1. Municipal vehicles may only be used for Town business.
2. Municipal vehicle passengers are limited to Town employees and individuals who are directly associated with Town work activity (committee members, consultants, contractors, etc.).
3. Vehicles should contain only those items for which the vehicle is designed.
4. The Town shall not be liable for the loss or damage of any personal property transported in the vehicle.
5. Employees are responsible for keeping municipal vehicles clean and reporting any malfunction or damage to their supervisor immediately.
6. Employees must wear seatbelts in vehicles so equipped during operation of the vehicle.
7. Employees who operate municipal vehicles must have a valid motor vehicle license issued by the state of their current residence and may be required to provide proof of valid motor vehicle license once every six (6) months.
8. Employees who incur parking or other fines in municipal vehicles will generally be personally responsible for payment of such fines, unless the payment of such fines by the town is approved by the Select Board.
9. Employees who are issued citations for any offense while using a municipal vehicle must notify their supervisor immediately.

Failure to comply with any and all provisions of this policy may result in disciplinary action up to and including removal of Town vehicle privileges, suspension, and/or termination from Town service.

#### 5.13 Personal Mobil Device Policy

To ensure the proper use of Personal Mobil Devices during work hours. This policy applies to all full-time, and intermittent Town employees, as well as grant funded employees. The policy also applies to temporaries, interns, and volunteers.

Employees, and others designated above, may carry personal call phones/PDA's/mobile devices during work hours, but are expected to keep personal phone calls and/or text messages to a minimum and of short duration, except in an emergency, family illness, or crisis. Personal mobile devices may be freely used during scheduled breaks and meal times in the break area or outside the building.

Phone calls or text messages that would classify as "chit-chat" during work time is prohibited. Employees, temporaries, interns, and volunteers who receive such "chit chat" phone calls/messages during work time are requested to quickly conclude the conversation and call back during non-work times. Those that receive frequent incoming calls/messages should inform their family and friends of this policy or simply turn their devices(s) off during work hours.

Ring tones that are offensive or overly distracting during work hours are prohibited.

If there is a temporary personal situation that will require more frequent, unscheduled, mobile usage, he/she should request approval in advance for the use of the personal mobile device from his/her manager or supervisor (i.e. Mortgage closing, medical problem, etc.).

If this policy is abused by an individual, his/her manager or supervisor should ask that the behavior is corrected, if it continues, the individual may be required not to carry the device(s) during work hours. Further continuation of the misuse of the devices by an employee will lead to disciplinary action up to and including termination or the end of status as temporaries, interns, or volunteers.

There is also a state law which provides for a ban on hand-held mobile phone use while driving a Commercial Motor Vehicle. The ban specifies that no driver shall use a hand-held mobile telephone while driving a commercial motor vehicle. A commercial motor vehicle is defined by the US DOT as a vehicle with a single or combined GVWR, or actual weight of over 10,001 pounds, whether they have their CDL or not. The Town of Washington also requires a ban on hand-held mobile phones while an employee is driving a Town vehicle, including but not limited to pool cars, department, and department head vehicles.

Use of a hand held mobile telephone means:

1. Using at least one hand to hold a mobile telephone to conduct a voice communication;
2. Dialing or answering a mobile telephone by pressing more than a single button, or
3. Reaching for a mobile telephone in a manner which requires a driver to maneuver so that he or she is no longer in a seated position

This rule does not prohibit a driver from using a mounted mobile phone which can be easily accessed from the driver's seat and activated with a single button. Driving means

operating a commercial vehicle on a public road, and when stopped in traffic on such a road. Driving does not include instances when the driver is safely parked. Emergency use is permitted.

The term mobile telephone does not include mobile services which are provided for profit, have inter-connected service and is available to a substantial portion of the public.

Penalty:

Drivers who violate the restriction will face federal civil penalties of up to \$2,750 for each offense and disqualification from operating a commercial motor vehicle for multiple offenses. Additionally the Commonwealth of Massachusetts will suspend a driver's commercial driver's license (CDL) after two or more serious traffic violations.

Violation of this policy may also lead to disciplinary action of the employee up to and including termination from employment.

#### **5.14 Personal Automobile Use**

The Town of Washington will reimburse employees for reasonable expenses which incur as a result of personal automobile use on behalf of the Town. Receipts and a Travel Expense Report (appended) must be submitted in order for the employee to be reimbursed for such expenses. Reimbursement will be based on current IRS mileage guidelines or as set by the Chairman of the Finance Committee, which is intended to include the costs of gasoline, repairs, insurance, and general wear and tear on the automobile.

In the event that an employee's personal vehicle is damaged during an approved, work-related trip, and the damage is not due to the gross negligence of the employee, the Town will reimburse the employee, upon receipt of verification of payment of a deductible (comprehensive or collision) to cover part of the cost of repair, up to a maximum of \$250 or the amount of the deductible, whichever is less, per occurrence.

## Appendix 1: Sample Posting

The Town of Washington plans to hire an Assistant to the Maintenance Coordinator.

The position is part time (XX hrs/week) and pays \$16-\$20 hour depending on experience of the candidate. The position involves doing routine maintenance and as needed, repairs to Town buildings.

Candidates should have experience in the building trades.

Anyone interested should fill out a job application which can be found online at:

<http://www.washington-ma.com/Application01.pdf> or requested by calling 413- 623-8878. The application must be returned to:

Washington Town Hall

Summit Hill Road

Washington MA 01223

by October 24 2011

### Equal Employment Opportunity/Affirmative Action

The Town of Washington recognizes the right of individuals to work and advance on the basis of merit, ability, and potential without regard to race, sex, color, disability, religion, national origin, sexual orientation, or age. Non-discrimination and equal opportunity are the policy of the Town in all of its hiring programs and activities.

Toward this end, the Town commits itself to take affirmative measures to ensure equal opportunity in the recruitment and hiring, rate of compensation, and all terms and conditions of employment. The Town is committed to fostering and encouraging a workplace comprised of individuals of diverse backgrounds, races, genders, abilities, religious beliefs, sexual orientation, and ages.

All Town employees are encouraged to take diligent, affirmative steps to ensure equal opportunity and respect for diversity. The policy of the Town is to recruit and hire without regard to race, sex, color, disability, religion, national origin, sexual orientation, or age. Decisions about employment will be made so as to encourage the development of a diverse workforce.

## Appendix 2:

### Disciplinary Procedure and Forms

The Town's disciplinary policy is generally one of progressive discipline. Employees must know what is expected of them both in terms of their specific work-related duties as defined by their supervisor and in their general conduct as outlined in 5.0., and that their continued employment by the Town is contingent upon compliance. The primary goal of the disciplinary process is the correction of perceived performance problems. However, there are some issues such as violence, use of drugs, egregious safety violations, etc. as outlined in 5.0 that are grounds for immediate suspension. In addition since all employees are at-will employment may be terminated at any time without following progressive discipline. The employee is also free to resign employment at any time.

Supervisors or Department Heads are responsible for setting the employee's expectations whether related to conduct or specific work duties. Supervisors are obliged to communicate openly and honestly with their employees, and to ensure that all employees have read and understand the Personnel Policies, by-laws, and all other rules and regulations governing their employment.

#### Initial Discussion

A supervisor who believes that he or she has a disciplinary problem should first discuss the matter with the employee to make sure that there is no misunderstanding either of the situation or mutual expectations. Supervisors are encouraged to consult the Personnel officer and the Board of Selectman both before and after discussions with the employee.

Supervisors must focus their attention and the attention of employees on **behavioral** issues. Vague assertions of motives or attitudes are pointless and often counterproductive. Examples of behavior that could result in disciplinary action include insulting speech, failure to follow safety procedures, failure to report to work, failure to do assigned work, etc. Supervisors are reminded that the Town has made a judgment and an investment in each of its employees and that the first priority is to improve their performance. The employee must always be given full opportunity to explain his/her actions and to reform or rehabilitate himself/herself.

If a discussion between the supervisor and employee does not resolve the perceived issue the next step ordinarily would be to issue an oral reprimand.

### Oral Reprimand and Documentation

Supervisors are encouraged to consult the Personnel Officer and Select Board both before and after delivering an oral reprimand to an employee.

Although this is a two-way discussion and the employee has an opportunity to respond, the supervisor must cover the following points:

- a. Rule, Regulation or Policy Involved
- b. Unacceptable performance/behavior
- c. Consequence to the Town/Department
- d. Expected performance or behavior
- e. How and when the employee is expected to respond
- f. Follow-up discussion
- g. Consequences for lack of improvement/compliance

After meeting with the employee to communicate the warning, the supervisor must prepare a written summary that is presented to the employee and may be placed in the employee's official personnel file at the discretion of the supervisor. The supervisor must keep a copy. Although there is no limit to the number of oral reprimands an employee may be given, common sense and the interests of the Town dictates that more than one reprimand on the same issue or multiple issues be followed by a written reprimand.

### Written Reprimand

The written reprimand differs from the Oral reprimand in that it uses a formal document and is always placed in the employee's official personnel file (see Forms.) It contains all of the elements of the oral reprimand as listed above. In most cases, this formal warning will be initiated only after an informal or oral warning has failed to bring about sufficient improvement. However, cases in which the employee commits a fairly serious offense the written reprimand may be the first disciplinary action taken. In either case the supervisor is required to consult the Personnel Officer both before and after discussions with the employee. As with the oral reprimand, the written reprimand should be issued following a meeting with the employee.

### Suspension

Suspension without pay or benefits is the temporary and involuntary separation of an employee from his/her employment. The purpose of a suspension is to serve as a final warning to an employee that continued misbehavior or poor performance may result in discharge. Suspension is generally imposed only when prior warnings or reprimands have not caused the employee to bring his/her performance or behavior up to the expected standard. In some cases involving serious misconduct, suspension may be the first disciplinary action taken.

The employee should be offered an interview with the supervisor, Personnel Officer and Select Board prior to the suspension. A suspension must be thoroughly documented with all of the reprimand elements listed above and kept in the employee's official personnel file.

### Discharge

Discharge is the permanent and involuntary separation of a person from his/her employment with the Town. Because of its severity, action to discharge an employee is generally initiated only after the oral and written reprimand processes and one or more suspensions have failed to bring about the employee's conformance with the requisite standards of performance or behavior.

The employee to be discharged will be offered a hearing by the supervisor, the Personnel Officer and the Select Board prior to the imposition of the discharge. If discharged, the employee will be given a written notice stating the reason(s) for the discharge and the effective date of termination of employment with the Town. Such notice shall be included in the employee's official personnel file.

## **Attachment A: Massachusetts legal definition of sexual harassment and complaint procedure from Model Sexual Harassment Policy MCAD Policy 96-2 Adopted by the Commission on October 25, 1996**

### **Definition**

“Sexual advances, requests for sexual favors, and verbal or physical conduct of a sexual nature when:

- a. Submission to or rejection of such advances, requests or conduct is made either explicitly or implicitly a term or condition of employment or as a basis for employment decisions; or,
- b. Such advances, requests or conduct have the purpose or effect of unreasonably interfering with an individual’s work performance by creating an intimidating, hostile, humiliating or sexually offensive work environment.

Under these definitions, direct or implied requests by a supervisor for sexual favors in exchange for actual or promised job benefits such as favorable reviews, salary increases, promotions, increased benefits, or continued employment constitutes sexual harassment.

The legal definition of sexual harassment is broad and in addition to the above examples, other sexually oriented conduct, whether it is intended or not, that is unwelcome and has the effect of creating a workplace environment that is hostile, offensive, intimidating, or humiliating to male or female workers may also constitute sexual harassment.

While it is not possible to list all those additional circumstances that may constitute sexual harassment, the following are some examples of conduct that, if unwelcome, may constitute sexual harassment depending upon the totality of the circumstances including the severity of the conduct and its pervasiveness:

- Unwelcome sexual advances, whether they involve physical touching or not;
- Sexual epithets, jokes, written or oral references to sexual conduct, gossip regarding one’s sex life; comment on an individual’s body, comment about an individual’s sexual activity, deficiencies, or prowess;
- Displaying sexually suggestive objects, pictures, cartoons;
- Unwelcome leering, whistling, brushing against the body, sexual gestures, suggestive or insulting comments;
- Inquiries into one’s sexual experiences; and,

- Discussion of one's sexual activities.

All employees should take special note that, as stated above, retaliation against an individual who has complained about sexual harassment, and retaliation against individuals for cooperating with an investigation of a sexual harassment complaint is unlawful and will not be tolerated.”

**Complaint Procedure**

If an employee believes that he or she has been subjected to sexual harassment, the employee has the right to file a complaint either in writing or verbally to the Select Board or Personnel Officer.

When a complaint is received, the allegation will be promptly investigated in a fair and expeditious manner. The investigation will be conducted in such a way as to maintain confidentiality to the extent practicable under the circumstances. The Town's investigation will include a private interview with the person filing the complaint and with witnesses. The Town will also interview the person alleged to have committed sexual harassment. When the investigation is completed, the Town will, to the extent appropriate, inform the person filing the complaint and the person alleged to have committed the conduct of the results of that investigation. If it is determined that inappropriate conduct has occurred, the Select Board will act promptly to eliminate the offending conduct, and where appropriate, impose disciplinary action. Such action may range from counseling to termination from employment, and may include such other forms of disciplinary action as deemed appropriate under the circumstances.

In addition to the above, if an employee believes he or she has been subject to sexual harassment, he or she may file a formal complaint with either or both of the government agencies set forth below. Using the town's complaint process does not prohibit an employee from filing a complaint with these agencies. Each of the agencies has a short time period for filing a claim. (The EEOC is 300 days; the MCAD is 6 months).

The U.S. Equal Employment Opportunity Commission

One Congress Street  
10<sup>th</sup> Floor  
Boston, MA 02114  
(617) 565-3200

The Massachusetts Commission against Discrimination

Springfield Office:  
424 Dwight Street, Room 220  
Springfield, MA 01103  
(413) 739-2145

## **Attachment B: Policy for the Employment of Minors**

Minors sixteen (16) years of age and older may not work more than nine (9) hours per day, nor more than forty-eight (48) hours per week. Such minors may not work between 10:00 p.m. and 6:00 a.m. Such minors must submit an educational certificate that they have obtained from their school or the Superintendent of Schools in the town where they live. Minors sixteen (16) years of age and older may perform most types of work, except work involving hazardous occupations as established by the State and Federal Secretaries of Labor (see Attachment B)

Minors fourteen (14) and fifteen (15) years old must have on file and "Employment Permit" from their school. Such minors may not be employed during school hours (unless as part of a qualifying "work experience program"). Such minors may not be employed between 7:00 p.m. and 7:00 a.m. (except that from July 1 through Labor Day they may work until 9:00 p.m.). Such minors may not be employed more than: three (3) hours per day on school days, eighteen (18) hours per week in school weeks, eight (8) hours per day during a period of not more than nine (9) consecutive hours on non-school days, forty (40) hours per week, or six (6) days in a week.

Minors of fourteen (14) and fifteen (15) years are prohibited from working in the occupations listed in Attachment C.

The Town must keep posted in a conspicuous place, in the room where such minors are employed or report to work, a printed notice or schedule stating the number of hours such minors are required or permitted to work on each day of the week, the total number of scheduled hours for the week, the hours beginning and ending work, and when time allowed for meals begins and ends for each day of the week.

### **Prohibited Hazardous Occupations for Minors under age Eighteen (18)**

1. Manufacturing and storing explosives;
2. Motor vehicle driving;
3. Coal mining;
4. Logging and saw-milling;
5. Operating power-driven wood working machines;
6. Operating power-driven hoisting apparatus;
7. Any work causing exposure to radioactive substances;
8. Operating power-driven metal-forming, punching and shearing machines;
9. Mining, other than coal mining;
10. Slaughtering, or meat packing, processing or rendering;
11. Operating power-driven bakery machines;
12. Manufacturing brick, tile, and similar products;
13. Operating power-driven paper product machines;
14. Operating power-driven circular saws, band saws, and guillotine shears;
15. Wrecking, demolition and ship-breaking;

16. Roofing;
17. Excavating;
18. Working in railway operations;
19. Working in foundries, or working in or about blast furnaces;
20. Buffing or polishing equipment;
21. Handling, serving or selling alcoholic beverages;
22. Working as a firefighter or engineer on any boat or vessel;
23. Manufacturing white or yellow phosphorous matches; and
24. Working at any occupation over thirty-five feet above ground, floor or water level (including washing windows in a public or commercial building if the window is more than ten feet above the ground or floor level, or the roof of an adjoining building).

### **Prohibited Occupations for Fourteen (14) and Fifteen (15) Year Old Minors**

1. Manufacturing of any kind;
2. Mining of any kind;
3. Processing, such as filleting fish, dressing poultry, or cracking nuts;
4. Laundering as performed by commercial laundries and dry cleaning;
5. Working in workrooms or workplaces where goods are manufactured, mined or otherwise processed;
6. Working for a public messenger service;
7. Operating or tending hoisting apparatus or any power-driven machinery (other than office machines or machines in retail, food service and gasoline service establishments);
8. Working in any occupations found and declared to be hazardous by official designation;
9. Working in connection with:
  - a. The transportation of persons or property by rail, highway, air, water, pipeline or other means;
  - b. Warehousing and storage;
  - c. Communications and public utilities; or
  - d. Construction (including repair), except in office and sales work in connection with these four categories as long as such office and sales work is not performed at the site of prohibited work;
10. Working in or about boiler or engine rooms;
11. Maintaining or repairing buildings, machines, or equipment;
12. Outside window washing that involves working from window sills;
13. Working on ladders, scaffolds, or their substitutes;
14. Cooking (except at soda fountains, lunch counters, snack bars, or cafeteria serving

- counters) and baking;
- 15. Operating, setting up, adjusting, cleaning, oiling, or repairing power-driven food slicers and grinders, food choppers and cutters, and bakery-type mixers;
  - 16. Working in freezers and meat coolers and all work in preparation of meats for sale (except wrapping, sealing, labeling, weighing, pricing and stocking when performed in other areas);
  - 17. Loading and unloading goods to and from trucks, railroad cars, or conveyors;
  - 18. Working in warehouses except office and clerical work;
  - 19. Working in any billiard or pool room;
  - 20. Working in the theatrical trades, unless approval is obtained from the State Commissioner of Labor and Industries;
  - 21. Working at an occupation involving industrial homework; and
  - 22. Working in any of the occupations prohibited for all minors under the age of eighteen (18) as listed above.

## **Attachment C: Military Caregiver/Qualifying Exigency Leave**

Military Caregiver leave, up to 26 weeks, due to an employee to care for a spouse, son, daughter, parent, or next of kin that is a covered service member with a serious injury or illness.

1. A covered service member is a current member of the Armed Forces, including the National Guard or Reserves, who is undergoing medical treatment, recuperation, or therapy, is otherwise in outpatient status, or is otherwise on the temporary disability retired list, for a serious injury or illness.
2. A serious illness or injury is one that was incurred by a servicemember in the line of duty, on active duty that may render the servicemember medically unfit to perform the duties of his or her office, grade, rank, or rating.
3. An eligible employee is limited to a combined total of 26 workweeks or leave for any FMLA qualifying reason during a single 12-month period. (only 12 of the 26 weeks total may be for a FMLA qualifying reason other than to care for a covered service member)

Qualifying Exigency Leave due an employee whose spouse, son, daughter, or parent is a military member of the National Guard or Reserves and is on active duty, or has been notified of an impending call or order to active duty, in support of a contingency operation, for a qualifying exigency. Qualifying exigencies include:

1. Issues arriving from a covered military member's short notice deployment (i.e. deployment on 7 or less days of notice) for a period of seven days from the date of notification.
2. Military events and related activities, such as official ceremonies, programs, or events sponsored by the military or family support or assistance programs and informational briefings sponsored or promoted by the military , military service organizations. Or the American Red Cross that are related to the active duty status of a covered military member.
3. Certain childcare and related activities arising from the active duty or call to active duty status of a covered military member, such as arranging for alternative childcare, providing childcare on a non-routine, urgent, immediate need basis, enrolling or transferring a child in a new school or day care facility, and attending certain meetings at a school or day care facility if they are necessary due to circumstances arising from the active duty or call to active duty of the covered military member.
4. Making or updating financial and legal arrangements to address a covered military member's absence.
5. Attending counseling provided by someone other than a health care provider, for oneself, the covered military member. Or the child of a covered military member, the need for which arises from the active duty or call to active duty status of the covered military

member.

6. Taking up to five days of leave to spend with a covered military member who is on short-term temporary, rest and recuperation leave during deployment.
7. Attending to certain post-deployment activities, including attending arrival ceremonies, reintegration briefings and events, and other official ceremonies or programs sponsored by the military for a period of 90 days following the termination of the covered military member's active duty status, and addressing issues arising from the death or a covered military member.
8. Any other event that the employee and employer agree is a qualifying exigency.

Spouses employed by the same employer are limited to a combined total of 26 workweeks in a single 12 month period if the leave is to care for a covered service member with a serious injury or illness, and for the birth and care of a newborn child, for placement of a child for adoption or foster care, or to care for a parent who has a serious health condition.

FMLA leave may be taken intermittently whenever medically necessary to care for a covered service member with a serious injury or illness, or for qualifying exigencies.

## **Attachment D: Highway Superintendent Position**

1. Highway Superintendent position is forty (40) hours per week.
2. Qualifications: High School Diploma or GED
  - a. Supervisory experience,
  - b. Class CDL License
  - c. Class 2B Hoisting Engineers License
  - d. DOT Medical Certificate.
3. Pay Range: \$20.00 to open
4. Clothing Allowance: \$150.00 clothing allowance per year reimbursed with receipt available after completion of probationary period.
5. Requires weekly attendance at Select Board Meetings.
6. Pre-employment drug and alcohol testing required.
7. Position is subject to random drug testing.



# Town of Washington

8 SUMMIT HILL ROAD  
WASHINGTON, MASSACHUSETTS 01223

P (413) 623-8878  
F (413) 623-2116

Town Offices/Selectman

## EMPLOYMENT APPLICATION

The Town of Washington is an Affirmative Action / Equal Employment Opportunity Employer

*All information must be typed or printed in readable writing. Unreadable application will be discarded.*

### Personal Information

**1.** Date of Application: \_\_\_\_\_ **2.** Position Applying For:\_\_\_\_\_

**3.** Name: \_\_\_\_\_  
Last \_\_\_\_\_ First \_\_\_\_\_ Middle \_\_\_\_\_

**4.** Address: \_\_\_\_\_  
Number \_\_\_\_\_ Street \_\_\_\_\_ Apartment Number \_\_\_\_\_

City/Town \_\_\_\_\_ State \_\_\_\_\_ Zip Code \_\_\_\_\_

**5.** Telephone Number: Home: \_\_\_\_\_ Daytime: \_\_\_\_\_  
Area Code / Number \_\_\_\_\_ Area Code / Number \_\_\_\_\_

**6.** Social Security Number: \_\_\_\_\_ **7.** Driver's License Number: \_\_\_\_\_  
Class / Number / State \_\_\_\_\_

**8.** If hired, can you provide proof of citizenship or legal right to work?  YES  NO

**9.** Are you under 18 years of age?  YES  NO If yes, date of birth? \_\_\_\_\_

**10.** Have you ever been employed by the Town before?  YES  NO

If yes, when? \_\_\_\_\_ In which department? \_\_\_\_\_

**11.** Do you have an immediate family member (i.e. spouse, mother, father, sibling, or child) working for the  
Town of Washington?  YES  NO

If yes, Employee's Name: \_\_\_\_\_ Department: \_\_\_\_\_

## Education

Name / Location	Course of Study	Years Completed	Did you graduate?	Degree / Date
High School			<input type="checkbox"/> YES <input type="checkbox"/> NO	
College			<input type="checkbox"/> YES <input type="checkbox"/> NO	
Graduate School			<input type="checkbox"/> YES <input type="checkbox"/> NO	
Business/Technical			<input type="checkbox"/> YES <input type="checkbox"/> NO	

**12.** Do you possess the following skills? Please list in detail all that apply.

Specialized Training?  YES  NO Name of Training/Course: \_\_\_\_\_

Professional Licenses?  YES  NO Licenses: \_\_\_\_\_

Professional Memberships?  YES  NO Name of Organizations: \_\_\_\_\_

Computer Software?  YES  NO Name of Programs: \_\_\_\_\_

Office Equipment?  YES  NO Describe Equipment: \_\_\_\_\_

If more room is required, an additional sheet may be attached.

## Employment History

**List present employer first. A resume or supplemental sheet may be included.**

**13a.** Employer's Name: \_\_\_\_\_

Address: \_\_\_\_\_ Telephone Number: \_\_\_\_\_

Job title: \_\_\_\_\_ Worked From: \_\_\_\_\_ To: \_\_\_\_\_

*Immediate Supervisor's Name and Job Title:* \_\_\_\_\_

Salary: \_\_\_\_\_ / Starting \_\_\_\_\_ Ending \_\_\_\_\_ May we contact this employer?  YES  NO

Describe the work you performed: \_\_\_\_\_

Reason(s) for leaving: \_\_\_\_\_

**13b.** Employer's Name: \_\_\_\_\_

Address: \_\_\_\_\_ Telephone Number: \_\_\_\_\_

Job title: \_\_\_\_\_ Worked From: \_\_\_\_\_ To: \_\_\_\_\_

*Immediate Supervisor's Name and Job Title:* \_\_\_\_\_

Salary: \_\_\_\_\_ / Starting \_\_\_\_\_ Ending \_\_\_\_\_ May we contact this employer?  YES  NO

Describe the work you performed: \_\_\_\_\_

Reason(s) for leaving: \_\_\_\_\_

**13c.** Employer's Name: \_\_\_\_\_

Address: \_\_\_\_\_ Telephone Number: \_\_\_\_\_

Job title: \_\_\_\_\_ Worked From: \_\_\_\_\_ To: \_\_\_\_\_

*Immediate Supervisor's Name and Job Title:* \_\_\_\_\_

Salary: \_\_\_\_\_ / \_\_\_\_\_ May we contact this employer?  YES  NO

Starting \_\_\_\_\_ Ending \_\_\_\_\_

Describe the work you performed: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Reason(s) for leaving: \_\_\_\_\_

*If more room is required, an additional sheet may be attached.*

### **References**

*Please provide three professional and/or business references only. Note that references listed in this section will be contacted.*

**14a. Reference #1**

Name: \_\_\_\_\_ Address: \_\_\_\_\_

Business Position: \_\_\_\_\_ Telephone-Home: \_\_\_\_\_ Work: \_\_\_\_\_

**14b. Reference #2**

Name: \_\_\_\_\_ Address: \_\_\_\_\_

Business Position: \_\_\_\_\_ Telephone-Home: \_\_\_\_\_ Work: \_\_\_\_\_

**14c. Reference #3**

Name: \_\_\_\_\_ Address: \_\_\_\_\_

Business Position: \_\_\_\_\_ Telephone-Home: \_\_\_\_\_ Work: \_\_\_\_\_

**15. How did you learn about the job for which you are applying?**

Walk-in \_\_\_\_\_ Town Employee \_\_\_\_\_

Newspaper; title \_\_\_\_\_ Professional Journal; title \_\_\_\_\_

Posted Town Bulletin \_\_\_\_\_ the Internet \_\_\_\_\_

## **Agreement**

*The information provided in this application for employment is true and complete to the best of my knowledge. In the event of employment, I understand that false or misleading information given in my application or interview(s) may result in discharge.*

*I authorize investigation of all statements contained in this application and the release of any pertinent information regarding my education, past employment history and background. I authorize the Town of Washington to obtain any information from schools, employers or individuals relating to my activities. This information may include, but is not limited to: academics, achievement, performance, attendance, personal history and discipline. Further, I hereby authorize all references, persons, schools, my current employer (if applicable) and previous employers and organizations, unless otherwise stated, to provide the Town of Washington any relevant information that may be required to arrive at an employment decision. I understand that the information released is for the Town of Washington's use only.*

*I hereby voluntarily release, discharge and exonerate the Town of Washington, its agents and representatives, and any person so furnishing information from any and all liabilities of every nature and kind arising out of the furnishing or inspection of such documents, records and other information or the investigations made by or on behalf of the Town of Washington.*

*I understand that all appointments at will and that I must demonstrate my ability for continued employment. I also understand that I must be available from time to time to work outside normal business hours, as the needs of the department require.*

*If required for the position I am seeking, I agree to take a physical examination, which may include testing for drugs or a psychological examination, as required, and recognize that any offer of employment may be contingent upon the results of such an examination. I also agree to submit to drug testing based on reasonable suspicion if required.*

*I understand that any employment offer by the Town is conditional upon my ability to establish employment eligibility under the Immigration Reform and Control Act of 1986 within three days of the date of hire.*

I represent that I have read and fully understand the foregoing and seek employment under these conditions.

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

**“Discrimination against any person in any practice or procedure in advertising , recruitment, referrals, testing, hiring, transfer, promotion or any other term, condition or privilege of employment which limits or adversely affects employment opportunities, because of political or religious opinions or affiliations, or because of race, color, sex, sexual orientation, national origin, marital status, pregnancy, parenthood, age or handicap which is unrelated to the person’s occupational qualifications or any other non-merit factor which is not a bona fide occupational qualification is prohibited.”**

**It is unlawful in Massachusetts to require a lie detector test as a condition of employment or continued employment. An employer who violates that law shall be subject to criminal penalties and civil liabilities.**



# Town of Washington

8 SUMMIT HILL ROAD P (413) 623-8878  
WASHINGTON, MASSACHUSETTS 01223 F (413) 623-2116

Town Offices/Selectman

## Release Form

I \_\_\_\_\_ a candidate for the position of \_\_\_\_\_ hereby authorize the Town of Washington to conduct a driving record inquiry and CORI (Criminal Offender Registry Inquiry) check on me. I further agree to take a pre-employment physical including a drug test if requested. I also agree to submit to drug testing based on reasonable suspicion as required.

Signed: \_\_\_\_\_  
[Signature of Applicant]

Date: \_\_\_\_\_

Address \_\_\_\_\_

Date of Birth \_\_\_\_\_

Social Security Number \_\_\_\_\_

The Town's CORI Policy is printed on the reverse of this form

### Personnel Officer to Complete Regarding CORI check

CORI Policy Requested? Y or N Provided \_\_\_\_\_ (date and initial)

Date CORI Check Requested \_\_\_\_\_

Approved by Appointing Authority \_\_\_\_\_ If not – date applicant notified \_\_\_\_\_  
And provided copy of CORI check and CORI policy

Date Original Destroyed \_\_\_\_\_

## **Town of Washington CORI Policy**

Criminal Offender Record Information (CORI) checks may be part of the general background check for employment. CORI checks will only be conducted as authorized by Criminal History Systems Board (CHSB). An informed review of a criminal record requires adequate training. Accordingly, all personnel authorized to review CORI in the decision-making process will be thoroughly familiar with the educational materials made available by CHSB. Unless otherwise provided by law, a criminal record will not automatically disqualify an applicant. If a criminal record is received from CHSB, the authorized individual will closely compare the record provided by the CHSB with the information on the CORI request form and any other identifying information provided by the applicant, to ensure the record relates to the applicant. If the Select Board is inclined to make an adverse decision based the results of the CORI check, the applicant will be notified immediately. The applicant will be provided with a copy of the criminal record and the Town of Washington's CORI policy, advised of the parts of the record that make the individual unsuitable for the position, and given the opportunity to dispute the accuracy and relevance of the CORI record. Applicants challenging the accuracy of the policy shall be provided a copy of CHSB's "Information Concerning the Process in Correcting a Criminal Record". If the CORI record provided does not exactly match the identification information provided by the applicant, the Town may make a determination based on a comparison of the CORI record and documents provided by the applicant. The Town may contact CHSB and request a detailed search consistent with CHSB policy. If the appointing authority reasonably believes the record belongs to the applicant and is accurate, then the determination of suitability for the position will be made.

Unless otherwise provided by law, factors in determining suitability may include, but not be limited to the following:

- A. Relevance of the Crime to the position sought
- B. The nature of the work to be performed
- C. Time since the criminal conviction
- D. Age of the candidate at the time of the offense
- E. Seriousness and specific circumstances of the offense
- F. The number of offenses
- G. Whether the applicant has pending charges
- H. Any relevant evidence of rehabilitation or lack thereof
- I. Any other relevant information, including information submitted by the candidate or requested by the hiring authority.

The Town will notify the applicant of the decision and the basis for it in a timely manner.



# Town of Washington

8 SUMMIT HILL ROAD P (413) 623-8878  
WASHINGTON, MASSACHUSETTS 01223 F (413) 623-2116

Town Offices/Selectman

## Performance Appraisal Form

**Employee Name and Position:**

Supervisor Rating (check box)	Excellent	Satisfactory	Needs Help	Unsatisfactory
Attitude and motivation				
Initiative				
Work quality				
Productivity				
Teamwork/interpersonal skills				
Job knowledge				
Responsibility				
Reliability				
Communication skills				
Judgment				
Flexibility				

Any observations or comments (required for "needs help" or "unsatisfactory"):

A. Objectives since last performance

1. \_\_\_\_\_
2. \_\_\_\_\_
3. \_\_\_\_\_

B. Achievements (relating to objectives) since last performance period:

1. \_\_\_\_\_
2. \_\_\_\_\_
3. \_\_\_\_\_

C. Key strengths that need to be maintained, further enhanced

1. \_\_\_\_\_
2. \_\_\_\_\_
3. \_\_\_\_\_

D. Key opportunities that need to be addressed

1. \_\_\_\_\_
2. \_\_\_\_\_
3. \_\_\_\_\_

Overall Performance (circle one):

Excellent

Satisfactory

Needs Help

Unsatisfactory

Date discussed with employee: \_\_\_\_\_

Employee Comments:

Employee signature: \_\_\_\_\_

Supervisor name and signature: \_\_\_\_\_



# Town of Washington

8 SUMMIT HILL ROAD P (413) 623-8878  
WASHINGTON, MASSACHUSETTS 01223 F (413) 623-2116

Town Offices/Selectman

## Professional Reappointment Form

**Professional Employee Name and Position:**

A. Professional Qualifications:

B. Professional Development within the past FY and/or planned for next FY:

C. Achievements in the past FY:

D. Plans for upcoming FY:

Comments (see additional sheets as needed):

Comments from the Select Board:

Appointed for FY(s) \_\_\_\_\_

Employee signature: \_\_\_\_\_ Date: \_\_\_\_\_

Chair, Select Board signature: \_\_\_\_\_ Date: \_\_\_\_\_



# Town of Washington

8 SUMMIT HILL ROAD P (413) 623-8878  
WASHINGTON, MASSACHUSETTS 01223 F (413) 623-2116

Town Offices/Selectman

## Request for Leave

**Employee**

**Name:** \_\_\_\_\_

**Type of Absence Requested:**

**Sick**

**Vacation**

**Bereavement**

**Time Off**

**Without Pay**

**Military**

**Jury Duty**

**Maternity/**

**Paternity**

**Other**

**Dates of Absence:**

**From:** \_\_\_\_\_

**To:** \_\_\_\_\_

**Details as needed:**

*You must submit requests for absences, other than sick leave, at least three weeks prior to the first day you will be absent .Except when the absence is due to the death of an immediate family member.*

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*Employee Signature*

*Date*

**Comments:**

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*Select Board Chair Signature*

*Date*

---

*Select Board Signature*

*Date*

---

*Select Board Signature*

*Date*



# Town of Washington

8 SUMMIT HILL ROAD      P (413) 623-8878  
WASHINGTON, MASSACHUSETTS 01223      F (413) 623-2116

Town Offices/Selectman

## Personal Automobile Travel Expense Form

Employee: \_\_\_\_\_

Department: \_\_\_\_\_

Purpose of Trip: \_\_\_\_\_

Date: \_\_\_\_\_

Approved by: \_\_\_\_\_

Title: \_\_\_\_\_

Mileage \_\_\_\_\_ @ \_\_\_\_\_ /mile

Tolls \_\_\_\_\_ \*

Parking \_\_\_\_\_ \*

Other expenses (list): \_\_\_\_\_

Total Amount to be reimbursed \$ \_\_\_\_\_

\*Receipts must be attached or will not be reimbursed



# Town of Washington

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Town Offices/Selectman

## Written Reprimand

***This is a formal notice that your conduct is unacceptable and corrective action must be taken.***

**TO:** (Employee's Name and Position):

Date:

Unacceptable performance/behavior (dates, times, specifics, citing Rule, Regulation or Policy):

Consequence to the Town/Department:

How you can improve (as specific as possible):

Follow-up discussion (when will this be discussed again):

Possible consequences for lack of improvement/compliance

**Failure to correct misconduct or repeat issues of the same or similar nature may result in further disciplinary action up to and including termination of employment.**

**Supervisor's Signature(s)**

**Date**

**Employee's Signature**

**Date**



# Town of Washington

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Town Offices/Selectman

## Exit Interview

Employee Name \_\_\_\_\_ Termination Date \_\_\_\_\_

Job Title \_\_\_\_\_ Eligible for Rehire [ ] Yes [ ] No

Employed From: \_\_\_\_\_ to: \_\_\_\_\_

Supervisor: \_\_\_\_\_

### Reason for Termination

#### Voluntary

- [ ] Another Position
- [ ] Personal Reasons
- [ ] Relocation
- [ ] Retirement
- [ ] Return to School
- [ ] Other \_\_\_\_\_

#### Involuntary

- [ ] Attendance
- [ ] Violation of Company Policy
- [ ] Lay Off
- [ ] Reorganization
- [ ] Position Eliminated
- [ ] Other \_\_\_\_\_

Final Paycheck Date: \_\_\_\_\_

Vacation Pay Accrued:  
Hours \_\_\_\_\_  
As of payroll date \_\_\_\_\_

Sick Leave Buy-Back:  
Hours \_\_\_\_\_  
As of payroll date \_\_\_\_\_

Returned Equipment (keys, etc.) \_\_\_\_\_

- 
1. From the beginning of your employment, were the rules and responsibilities of your job clearly explained to you? [ ] Yes [ ] No
  2. Did you have the opportunity to work up to your potential during your employment with the Town of Washington? [ ] Yes [ ] No

3. If you had a problem or complaint, did you feel free to talk to your supervisor?  
[ ] Yes [ ] No
4. Were you delegated enough responsibility to perform your job? [ ] Yes [ ] No
5. Did your employment with the Town of Washington provide adequate promotional opportunities?  
[ ] Yes [ ] No
6. Were the duties that you performed on a daily basis those for which you were hired?  
[ ] Yes [ ] No
7. Did you generally know how your supervisor felt about your job performance?  
[ ] Yes [ ] No
8. Did your supervisor give clear and concise instructions to you? [ ] Yes [ ] No
9. Did you receive adequate on-the-job training and supervision to help you become better at your job?  
[ ] Yes [ ] No
10. Did you experience any discrimination, racially or sexually, by your supervisor?  
[ ] Yes [ ] No

Please rate the Town of Washington on each of the following points using a 5 point scale with 5 being the highest:

1. Fair and equal treatment by management.
2. Recognition of good performance.
3. Development of cooperation and teamwork.
4. Resolving complaints and problems.
5. Town communication with employees.
6. Communication between departments.
7. Rate and pay for your job.
8. Access to information needed to do your job.

9. Providing overall service to the townspeople.

10. Training and seminar opportunities.

Would you recommend employment with the Town of Washington to someone seeking a job?

[ ] Yes [ ] No Why or Why Not? \_\_\_\_\_

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Any additional comments? \_\_\_\_\_

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***This is certification that I have completed the Town of Washington Exit Interview Form. The Personnel Officer reviewed this document with me and I acknowledge that I answered truthfully to the best of my ability. This is certification that I have been provided with information regarding Unemployment Benefits, Retirement and COBRA if applicable. I have been given the opportunity to ask questions regarding my rights.***

Employee's Signature \_\_\_\_\_

Date \_\_\_\_\_

Personnel Officer's Signature \_\_\_\_\_

Date \_\_\_\_\_



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## Acknowledgement of Receipt of Personnel Policies

### Employee Acknowledgement

I have received a copy of the Town of Washington Employee Policies and Procedures, which outlines the benefits, policies and my responsibilities as an employee of the Town. I will familiarize myself with the information in this handbook, will seek verification or clarification where necessary, and will comply with the policies, benefit requirements and procedures pertaining to the areas in which I am employed.

The information contained in the Employee Policies is subject to change as situations warrant, and I understand that changes in policy may supersede, modify or eliminate the policies summarized in the handbook. Changes in policy will communicated to me through official notices. I accept responsibility for keeping informed of these changes.

I understand that I have an obligation to inform my supervisor of changes in my personal data, such as address, telephone number, marital status and dependents.

I also am fully aware that this Employee Handbook does not constitute a contract of employment; rather it is intended to describe the Town's personnel and employment policies. I understand that this document will be placed in my personnel file.

Printed Name \_\_\_\_\_

Signature \_\_\_\_\_ Date Signed \_\_\_\_\_