

Town of Littleton Personnel By-Law  
Chapter 33

*Table of Content*

§33-1	Authorization/Amendment	§33-23	Vacation
§33-2	Personnel Board: Membership; Appointment; Terms	§33-24	Personal Leave of Absence
§33-3	Organization Structure: Meetings	§33-25	Sick Policy
§33-4	Meetings of Board and Employees	§33-26	Family Medical Leave Act
§33-5	Personnel Board Authority	§33-27	Military Leave
§33-6	Applicability of the Personnel By-Law	§33-28	Bereavement Leave
§33-7	Definitions	§33-29	Jury Duty
§33-8	Classification Plan	§33-30	Insurance Coverage
§33-9	Hiring and Re-classification	§33-31	HIPAA
§33-10	Job Descriptions	§33-32	Performance Evaluations
§33-11	Classification	§33-33	Disciplinary Action
§33-12	Rate Above Maximum	§33-34	Complaint Resolution
§33-13	Step Increases	§33-35	Reduction in Force, RIF
§33-14	Merit Increases	§33-36	Working From Home
§33-15	Annual Cost of Living	§33-37	Technology Usage
§33-16	Transfer and Promotion of Employees	§33-38	Discrimination and Sexual Harassment
§33-17	Pay Rate for New Personnel	§33-39	Severability
§33-18	Overtime & Comp Time Policy	§33-40	Drug Free Workplace
§33-19	Dept Pay Adjustment in Annual Budget	§33-41	Workers Compensation
§33-20	Longevity		Schedule A: Classification Plan & Compensation Plan
§33-21	Holidays		
§33-22	Personal Days		

**TOWN OF LITTLETON  
PERSONNEL BY-LAW**

**§ 33-1. AUTHORIZATION/AMENDMENT**

Pursuant to the authority contained in Article LXXXIX of the Constitution of the Commonwealth and Sections 108A and 108C of Chapter 41 of the General Laws, the Town of Littleton establishes plans, which may be amended from time to time by vote of the town at town Meeting:

- a. Authorizing a Classification Plan classifying positions in the service of the Town, other than those filled by popular election, those under the jurisdiction of the School Committee, those covered by collective bargaining agreements with the Town, and those with individual contracts with the Town, into groups and classes doing substantially similar work or having substantially equal responsibilities;
- b. Authorizing a Compensation Plan for positions in the Classification Plan;
- c. Providing for the administration of said Classification and Compensation Plans; and
- d. Establishing certain working conditions and fringe benefits for employees occupying positions in the Classification Plan.

The Classification Plan and/or Compensation Plan and/or other provisions of this By-Law may be amended by vote of the Town at either an Annual or Special Town Meeting. No amendment shall be considered or voted on by Town Meeting unless the Personnel Board has first considered the proposed amendment.

The Personnel Board, of its own motion, may propose an amendment to the plans or other provisions of this By-Law.

The Personnel Board shall report at least annually its recommendations on any proposed amendment to the Board of Selectmen. The Personnel Board shall make its recommendations with regard to any amendment at the Town Meeting at which such amendment is considered.

## **THE PERSONNEL BOARD**

### **§33-2. MEMBERSHIP; APPOINTMENTS; TERMS**

The Town establishes a Personnel Board which will report to the Board of Selectmen on matters of personnel policies and practices which affect the employees under the Classification Plan of the Town of Littleton. The members of the Personnel Board shall review and make recommendations to the Selectmen, town meeting or other Boards or Committees on all current and proposed personnel policies and procedures, compensation schedules and other matters, which directly affect the non-union employees of the Town as stated within this bylaw.

The Personnel Board shall be made of the following: one member of the Board of Selectmen, one member of the Finance Committee; two benefit eligible employees, one of whom shall be a department head, two citizens, one of whom should be a human resources professional; and the Town Administrator. The Town department head and employee at large shall be elected by their peers for a term of two years so arranged that the term of one shall expire each year. All other appointments to the Board shall be made by the Board of Selectmen for three-year overlapping terms so arranged that the term of at least one member shall expire each year.

### **§33-3. ORGANIZATIONAL STRUCTURE: MEETINGS**

- A. The Personnel Board shall have a Chairperson who shall preside over meetings, a Vice Chair who shall take over for the Chairperson in that person's absence and a Clerk who shall be responsible for taking minutes of meetings. The membership shall vote on these positions.
- B. The Personnel Board shall meet at least quarterly with minutes of such meetings taken and forwarded to the Board of Selectmen and filed with the Town Clerk.

### **§33-4. MEETINGS OF BOARD AND EMPLOYEES**

- A. All employees shall have the right to request an appointment to confer with the Board on any matter which is of interest or concern to them and which is covered by the plan. The Personnel Board shall meet as necessary or at least once annually with Appointing Authorities, Selectmen and the Finance Committee.
- B. The Personnel Board shall meet annually with all Town employees.
- C. The Personnel Board shall post all meeting dates and times and these will be public meetings.
- D. The Board shall provide sufficient copies of the Personnel By-Law or a summarization thereof in the form of an employee handbook to each department for distribution to each employee.

### **§33-5. PERSONNEL BOARD AUTHORITY**

The Personnel Board shall have the authority to review, from time to time or at least annually, the work of all positions subject to the provisions of this By-law. The Personnel Board shall recommend changes in said positions as well as adjustments to salaries as it deems advisable, subject to appropriation of funds.

Such reviews shall be made at such intervals, as the Board deems necessary and, to the extent that the Board considers practicable, shall include all occupational groups in the Classification Plan.

The Board, after meeting with the appropriate Appointing Authority, shall have the authority to adjust individual employee classifications and wages within the context of the By-Law whenever inequities exist.

On or before January 1ST of each year, the Personnel Board shall meet with the Board of Selectmen to discuss any changes in the Compensation Plan for the forthcoming year as well as any matters related to the Classification or Compensation Plans, which said Board, deems appropriate to be considered by the town. The Personnel Board in conjunction with Appointing Authorities and the Town Administrator shall develop, maintain, and modify from time to time written personnel policies not inconsistent with the By-Law.

### **§33-6. APPLICABILITY OF THE PERSONNEL BY-LAW**

This chapter shall apply to all Town of Littleton departments and to all positions of all employees in the service of the Town, whether benefit eligible, non-benefit eligible or seasonal, other than the School Department, Light and Water Departments, and other than those positions which are covered by separate agreement between any association of employees and the Town or any individual employee and the Town and developed through collective bargaining, except that all provisions of this chapter shall be applicable in so far as any collective bargaining agreement may refer to this chapter and to the extent applicable by statute or in the absence of any other provision.

The Town adheres to the policy of employment-at-will, which permits the Town or the employee to terminate the employment relationship at any time. Unless otherwise informed by written contract, Town employees are all employees-at-will.

The rights afforded herein shall be construed to be in addition to those rights secured by state and federal laws and regulations.

The Town agrees that, in all personnel matters, it will continue its policy of not discriminating against any person on any legally recognized basis. This includes, sex, sexual orientation as defined by law, age as defined by law, race, color, religion, handicap, national origin, military status and genetic information.

As may be required, changes or additions to the Personnel By-law may be made at Town Meeting when necessary.

Employees covered by this By-law will not be able to benefit from other agreements that exist with the Town. Employees either benefit from this By-law or by a contract [union or personal] with the Town, not both.

### **§33-7. DEFINITIONS**

As used in the By-law, the following terms shall have the meaning indicated:

- a. Employee -Any person who is paid by the town for services rendered to the town, excluding elected officials, persons with collective bargaining agreements, individuals with contracts, independent contractors, and persons under the direction of the School Committee.

- b. Benefit Eligible Employee -Any employee who is employed at least 20 hours per week, 52 weeks per year.
- c. Non-Benefit Eligible Employee -Any employee who works less than 20 hours each week for 52 weeks per year.
- d. Seasonal Employee -Any employee whose duration of employment with the Town is of a seasonal or emergency nature, or specified limited amount of time (not to exceed five (5) continuous months).
- e. On-Call/Temporary Employee: Any non-benefit eligible employee whose duration of employment with the Town is on an on-call or temporary basis.
- f. Continuous Service -Length of employment with the Town of Littleton of a full time or benefit eligible part time employee, uninterrupted except for authorized military leave, vacation leave, sick leave, court leave, disability, maternal/paternal leave, or any other authorized leave of absence, if applicable and covered in the terms of this By-Law.
- g. Absence -Any time an employee is not at work during a scheduled work period.
- h. Town -The Town of Littleton, Massachusetts.
- i. Department -Any Board, Committee, Commission, Trustees or functional unit (or sub-unit) of the town.
- j. Administrative Authority -The elected or appointed official or board having jurisdiction over a function or activity.
- k. Appointing Authority -Any person(s), Board, Committee, Commission, or Trustees who has the right to hire or discharge employees.
- l. Position -Employment in Town service with duties and responsibilities.
- m. Classification Plan – Ranking of all jobs specifications/titles approved by the Personnel Board and appearing as Schedule A to these By-Laws.
- n. Job Classification -A particular job classification within the Classification Plan.
- o. Compensation Plan -Specified ranges of pay for each job classification included in the Classification Plan, appearing as Schedule A to these By-Laws.
- p. Grade -A ranking of the value of various jobs.
- q. Rate -A sum of money designated as compensation for personal services on an hourly, daily, weekly, monthly, annual or other basis.
- r. Step Rate – A rate in a range of a grade.
- s. Range – The minimum and maximum rates for a particular grade.
- t. Work week – The Town of Littleton’s work week is Thursday through Wednesday.

## **§33-8. CLASSIFICATION PLAN**

### **A. MANDATORY CLASSIFICATION**

No person shall be appointed, employed or paid as a Town employee in any position under the Classification Plan and Compensation Plan under any title other than that of the class of which position is allocated.

### **B. EMPLOYEE CATEGORIES**

All positions subject to the provisions of the Personnel By-law of the Town shall fall into one of the following categories:

- a. Benefit Eligible
- b. Non-Benefit Eligible

- c. Seasonal
- d. On-Call Temporary

These categories will determine an employee's eligibility for benefits as specified by this By-Law.

### **§33-9. HIRING AND RE-CLASSIFICATION**

The following procedure shall be used when hiring employees in filling benefit eligible and non-benefit eligible positions covered by this By-law.

1. A job description agreed to by both the hiring Appointing Authority and the Personnel Board shall be completed prior to the announcement of the job opening.
2. The hiring grade and step for the job shall be in accord with the Classification and Compensation Plans or be developed with and agreed to by the Personnel Board prior to the announcement of the job opening.
3. The job opening shall be posted on the Town Hall Bulletin Board for two weeks and, if appropriate, shall be advertised externally. The announcement will include:
  - a. Job title
  - b. Pay range
  - c. Summary statement of duties
  - d. Direction on where and how applications may be filed
  - e. Deadline for filing application
4. Job applicants shall not be discriminated against on the basis of sex, sexual orientation as defined by law, age as defined by law, race, color, religion, handicap, national origin, military status and genetic information.
5. The Town must retain records of all job applicants in accordance with the Public Records Law. The application of the person hired shall be filed in his/her personnel file.
6. Benefit eligible persons selected for employment shall be notified in writing. The applicant may be required to undergo a medical examination, CORI and drug test as a condition of employment. The examination shall be at the expense of the town by a physician or medical institution selected by the Town. The examining physician shall advise as to whether or not, in the opinion of the physician, the applicant can perform the essential functions of the job. If deemed unfit to perform the duties of the position for which application has been made the appointing authority shall withdraw the offer of employment.
7. A Payroll Authorization Form with the required approvals shall be submitted to the Town Accountant prior to issuance of pay for a new employee or the pay rate change for an incumbent employee.
8. An applicant who accepts an appointment and fails to report to work on the date set by the appointing authority, shall, unless excused by the appointing authority, be deemed to have declined appointment and the offer of employment shall be withdrawn.

No employee may be reclassified to a position in another grade, either higher or lower, until the Personnel Board determines that such a reclassification will be consistent with the provisions of the Classification Plan.

### **§33-10. JOB DESCRIPTIONS**

The Personnel Board shall maintain written descriptions of the jobs or positions in the Classification Plan. These descriptions shall be written by the Appointing Authority and approved by the Personnel Board.

The descriptions shall include the grade, definitions describing the essential nature of the work, distinguishing features of the work and such illustrative examples of duties as may be deemed appropriate. The Personnel Board may, upon the request of an Appointing Authority or on their own initiative, along with the Appointing Authority's input, amend such job descriptions.

The departments shall be required to retain copies of the current job descriptions. They shall be responsible for drafting any revisions and submitting them to the Personnel Board for approval.

The description of any position shall be construed solely as a means of identification. It shall not limit the duties and responsibilities of any position or modify, or in any way affect, the power of any appointing Authority as otherwise existing, to assign duties to, or to direct and control the work of any employee under the jurisdiction of such authority.

## **COMPENSATION/BENEFITS**

### **§33-11. CLASSIFICATION PLAN & COMPENSATION PLAN**

The Compensation Plan set forth in the By-Law, shall consist of the minimum and maximum salaries by grade and step for the positions in the Classification Plan. The Compensation Plan shall be reviewed and updated periodically, voted at the annual town meeting and be incorporated into the budget process.

### **§33-12. RATE ABOVE MAXIMUM**

Any rate which is above the maximum for a job as established by this plan shall be deemed to be a personal rate and apply only to the incumbent. The employee's rate shall be held and not be increased until such time at the employee's rate is consistent with the Compensation Plan.

### **§33-13. STEP INCREASES**

A step increase will be awarded on an annual basis at the employee's anniversary providing the employee has completed at least one (1) year of satisfactory employment, unless otherwise exempted by attached schedules. When an employee reaches the top step of the grade they will no longer be eligible for a step increase.

### **§33-14. MERIT INCREASES (RESERVED)**

### **§33-15. ANNUAL COST OF LIVING INCREASE**

A cost of living increase will be voted each year at the annual town meeting. Recommendations are to be made by the Personnel Board.

### **§33-16. TRANSFER AND PROMOTION OF EMPLOYEES**

- A. When an employee is promoted to a higher-rated grade, he/she shall enter it at the step which provides an increase in salary. He/she may also receive a one step rate increase at the time if the Appointing Authority recommends that qualifications and performance warrant it, and the Personnel Board approves.

- B. If the employee is transferred to a lower grade job, he/she shall enter it at his/her own step or at the maximum step for the job, whichever is lower, provided that the Personnel Board approves. The employee shall have the right of appeal to the Personnel Board and to be heard thereon.

**§33-17. PAY RATE FOR NEW PERSONNEL**

1. The hiring rate shall be the minimum step for the grade of the job for which the new employee is hired. An appointing authority may assign a new employee, only for the purposes of pay, to a rate higher than the minimum rate, up to Step 3 of the Grade in any case where the employee's prior experience in the work warrants such action. Hiring an employee at a rate above Step 3 requires the advanced approval of the Personnel Board. The Board may investigate any request for a higher salary step and confer with the Appointing Authority relative to such employment.
2. The appointing authority may negotiate benefits to permit competitive hiring, subject to appropriation and the prior approval of the Personnel Board.

**§33-18. OVERTIME AND COMPENSATORY TIME**

Hourly employees begin to accrue overtime after they have worked 40 hours in a work week and it must be pre-approved by the Appointing Authority and their budget must have funds available to cover overtime. In certain circumstances compensatory time may be used, but it should be used as an exception rather than the norm. Salaried employees are not eligible for compensatory time. compensatory time must be recorded on the timesheets as hours accrue or hours used and it must be used within 30 days of the date on which it was earned or it is lost. If Sunday it hours are scheduled the rate of pay will be at time and a half the employees regular rate.

**§33-19. DEPARTMENT PAY ADJUSTMENT IN ANNUAL BUDGET**

Each Appointing Authority shall include in the annual budget a pay adjustment section to provide funds for anticipated pay adjustments (step increases) during the ensuing year, expenditures to be made only in accordance with the plan with the approval of the Personnel Board.

**§ 33-20. LONGEVITY PAY**

- A. Each benefit eligible employee covered by the provisions of the Town of Littleton Personnel By-law shall receive a longevity payment, to be paid in a lump sum as of July 1 of each year through regular payroll, such payment to be based on the number of consecutive years of benefit eligible employment by the Town as of July 1, in accordance with the following:

<b>Lump Sum</b>	
<b>Years of Service Payment</b>	
5-9 years	\$700
10-14 years	\$750
15-19 years	\$800
20+ years	\$850

- B. For purposes of this section, consecutive years of service shall mean the length of an employee's uninterrupted service in years in the employ of the Town of Littleton and in a position included within the Town of Littleton Personnel By-law Classification Plan and Compensation Plan in a benefit eligible position. Unpaid, approved leaves of absence shall not be considered as breaks in

said consecutive years of service; however, only years, months and days spent on paid leaves of absence shall be included in the computation of consecutive years of service.

**§33-21. HOLIDAYS**

A. All benefit eligible employees shall receive one day at straight time for the following 11 holidays:

- |                        |               |
|------------------------|---------------|
| New Years Day          | Labor Day     |
| Martin Luther King Day | Columbus Day  |
| President's Day        | Veteran's Day |
| Patriot's Day          | Thanksgiving  |
| Memorial Day           | Christmas     |
| Fourth of July         |               |

B. If such holiday falls on a Saturday, the preceding Friday will be observed as a holiday. If the holiday falls on a Sunday, the holiday will be observed on the following Monday. If an employee is on vacation and a holiday falls within the vacation time period, the employee will not be required to use a vacation day for the holiday.

**§33-22. PERSONAL DAYS**

All benefit eligible employees shall receive three (3) paid personal days on July 1st to use during that fiscal year. They cannot be carried over or paid out.

**§ 33-23. VACATION LEAVE**

- A. The vacation year is from July 1 through June 30 inclusive.
- B. All benefit eligible employees will accrue at a proportional rate of vacation time. For each full calendar month of employment, employees will be credited with vacation pay as outline below:
  - (1) After one full month and up to five years of service, the employee will accrue vacation days at a rate of five-sixths (5/6) of a day per month, equaling (10) days per year from the date of employment.
  - (3) After the 5th year of service and up to 10 years of service, the employee will accrue vacation days at a rate of one and twenty-five hundredths (1.25) days per month, equaling (15) days per year.
  - (4) After the 10th year and up to twenty years of service, the employee will accrue vacation days at a rate of one and two-thirds (1 2/3) days per month, equaling (20) days per year.
  - (5) After the twentieth year the employee will accrue vacation days at a rate of two and eighty-three thousands (2.083) days per month, equaling (25) days per year.
- C. In the event of termination for any reason, the employee will be paid for the full amount of vacation pay accrued to the date of termination. If the employee has taken more vacation time than accrued at the time of termination, the time not accrued shall be deducted from the final paycheck.
- D. Vacation shall be taken at the convenience of the department. Every effort will be made to arrange for the employee to have the vacation time desired. However, all operations have to be covered at all times, and the employees with the greatest length of service will have the first choice of time.

- E. All benefit eligible employees who have left the service of the Town voluntarily and who are re-employed, within two (2) years, shall after one (1) year of service receive credit for prior employment service in the calculation of the vacation benefit.
- F. The Town may offer vacation incentives in the recruitment and negotiation with potential new employees. No such incentive shall be greater than 20 days of vacation. Appointing Authority may not offer vacation incentives without prior approval of the Personnel Board. If granted, the employees then fall into the schedule adopted in Section B above.
- G. Employees may carry over any unused vacation time into the next fiscal year with the approval of the Appointing Authority. In no case will the carry over accrual be more than five weeks.

**§33-24. PERSONAL LEAVE OF ABSENCE**

Personal leave of absence for a specified period of time not to exceed 90 days may be granted by an Appointing Authority but shall be without compensation. A leave of absence of over three months duration shall be considered a break in employment and on return to work the employee shall have the status of a new employee unless an extension of leave beyond three months has been authorized by the Personnel Board in advance. Unless otherwise stated, personnel leave of absences without pay shall be considered inactive employment, where time spent on such leave does not count as service (time worked) for purposes of seniority, vacation, sick leave, pension, longevity and other benefits. Those employees on an approved leave of absence who are removed from payroll are responsible for remitting their portion of the payment due for health and other insurance premiums to the Treasurer’s office within the requested time frame.

**§33-25. SICK LEAVE POLICY**

- A. **SHORT TERM DISABILITY** Town benefit eligible employees who experience an illness/injury that causes a continuous and uninterrupted absence up to 180 calendar days/six (6) months, will be considered to be short term disability. Employees are compensated at 100% of full weekly base pay. Any absence that exceeds three continuous and uninterrupted working days requires a physician’s statement to be reinstated for work.
- B. **LONG TERM DISABILITY** Town benefit eligible employees who experience an illness/injury that causes a continuous and uninterrupted absence beyond 180 calendar days/six (6) months, will be considered to be long term disability. A Long Term Disability Employee will not continue to accrue vacation time, sick days, holidays, but will continue to participate in other benefits on the same basis as active employees. Seniority will freeze at current step after one year of sick leave (6 months of short term disability / 6 months long term disability).
- C. Employees will not hold employment of any type during period of Long Term Disability. Violation will result in termination of sickness benefits and employment with the Town.
- D. Use of Long Term Disability will be considered on a per illness basis and shall not be prorated during the employee’s employment by the Town. Subsequent illness within a six months’ period will be reviewed by the Town Physician.
- E. The method of payment for Long Term Disability shall be as follows;
  - (1) Employee must be absent from work for a period of 180 days consecutively
  - (2) Employee’s physician statement must be submitted to the Town
  - (3) Employee must be reviewed by Town’s physician
  - (4) Upon approval of the Town, benefits shall begin immediately
  - (5) Employee must present Town with physician’s documentation indicating necessity of continued Long Term Disability Benefit at six-month intervals.

(6) Employee's return to work must be reviewed by Town Physician to ensure employee is physically able to do the job.

- F. Long Term Disability benefits will equal 60 months (calendar months rather than working days), or the length of service employee has with the Town, whichever is greater.
- (1) The employee will be compensated at 80% of full weekly base pay for a period of 18 calendar months. Rate of pay is calculated from the first day of disability.
  - (2) The remaining calendar months will be compensated at 60% of full weekly base pay. Rate of pay is calculated from the first day of disability.
  - (3) Benefit includes annual review by the Town
- G. Exceptions. The Town may reduce the Long Term Disability benefit if the employee receives Social Security, Federal, State or County allowances. Total amount of allowances including these benefits is not to exceed 100% of full weekly base pay.

Employees, eligible or accepted for retirement are not eligible for Long Term Disability benefits, and /or will no longer receive the Long Term Disability benefit upon filing for retirement benefits.

#### **§ 33-26. FAMILY AND MEDICAL LEAVE ACT**

As stated by Federal Law.

#### **§ 33-27. MILITARY LEAVE**

Any Employee in an active military reserve unit or the National Guard called to active duty will be given Military Leave. Employees should provide adequate notice of the dates of their military duty to their supervisor. Vacation days accrued will not be affected by military duty. Employees will be paid The difference between their regular salary and their military pay during the time of their active military duty.

#### **§33-28. BEREAVEMENT LEAVE**

Benefit eligible employees shall be given up to three (3) consecutive working days leave with a Straight day's pay upon the death of immediate family members as defined by mother, father, spouse, mother-in-law, father-in-law, sister, brother, child, grandchild, grandparent, step-parent, step sibling, step-grandchild, or step-grandparent. One (1) day of leave with pay shall be given upon the death of the employee's aunt, uncle, niece or nephew.

Vacation days or Personal days may be use as bereavement upon the death of family members not specifically mentioned above.

#### **§ 33-29. JURY DUTY**

Employees required to report for jury duty shall submit their notice to their immediate supervisor. Employees will receive payment for their normal work hours while attending jury duty. Employees should notify their supervisor of their jury status on a daily basis. Employees will be paid the difference between their regular salary and their jury duty pay if selected for jury duty.

## **INSURANCE**

### **§ 33-30. INSURANCE BENEFITS**

The Town of Littleton offers the following insurance coverage to its benefit eligible employees:

#### **HEALTH INSURANCE**

The Town of Littleton will offer health insurance in accordance with Chapter 32B of Massachusetts General Laws. Insurance deductions are taken automatically from the employee's paycheck. Health Insurance is offered at the time of employment and during the annual open enrollment ONLY. Under COBRA law, employees may be entitled to continued coverage in the Town's group health insurance plan effective upon termination of employment. The employee is responsible for 102% of the Premium. Specific information is available from the Treasurer's Office.

Open enrollment is offered once a year, usually in early April. At this time employees have the opportunity to change their current benefit plans and coverage to suit their personal needs. Employees will be notified by the Treasurer's Office of the dates of the open enrollment and when any changes will become effective.

If you are an active benefit eligible employee 65 or over you will remain on your current active health plan until you retire. At age 65, if you are Medicare eligible, you must apply for your Medicare Coverage through Social Security and defer your Part B coverage until retirement.

#### **RETIRED EMPLOYEES**

Retired employees under age 65 will be covered by the Town's active health plans until age 65. The retiree must enroll in Medicare, if eligible. The retiree may elect to participate in the Town's Medigap insurance plan.

Retired employee not eligible for Medicare will remain on their current active plan upon providing proof that they are ineligible for Medicare.

#### **BASIC LIFE INSURANCE**

The basic life insurance offered by the Town is \$10,000. The employer will automatically deduct this from the employee's paycheck. This is term life insurance and expires upon termination of Employment with the Town. Retirees coverage drops to \$5,000 for half the cost. Life insurance is Offered to new hires at the time of their employment only. If you do not take this insurance you must sign a waiver of refusal.

#### **OPTIONAL LIFE INSURANCE**

Employees may carry additional life insurance as offered. Rates are based upon the amount of insurance and age. Premiums are fully paid by the employee. These policies may be portable.

### **§ 33-31. HIPAA**

As stated in Federal Law.

## § 33-32. PERFORMANCE EVALUATIONS

All employees covered by this bylaw shall have a performance evaluation annually. .

## § 33-33. DISCIPLINARY ACTION

### A. DISCIPLINARY PROCEDURE

Standards of employment conduct are essential to efficient and effective operations. Employees are expected to exercise common sense and good judgment, and conduct themselves in a manner that will be a credit to the Town. The Town recognizes that all of its employees have high standards, however, there are times when it may be necessary to discipline individual employees. Disciplinary action may be initiated for failure of an employee to fulfill responsibilities as an employee. The standards as listed below are not intended to be exhaustive, but are provided for illustrative purposes. The Town reserves the right to discipline for any conduct it deems inappropriate, whether or not it is enumerated herein. Violation of the Standards of Employment Conduct may result in disciplinary action, ranging from reprimand to immediate discharge.

### **The following is a non-exhaustive list of examples of violations of the Standards of Employment Conduct:**

- Incompetence or inefficiency in performing assigned duties
- Refusal to perform a reasonable amount of work or violation or any reasonable official order or failure to carry out any lawful and reasonable directions made by a proper supervisor
- Habitual tardiness or absence from duty
- Violation of safety rules, practices and policies
- Engaging in sexual or other harassment
- Insubordination
- Fighting on the job – Physical or verbal abuse
- Theft of Town or another employee's property
- Falsification of time records
- Use of illegal substance or alcohol on the job
- Intentional disclosure of confidential information
- Misuse or unauthorized use of Town property
- Fraud in securing an appointment
- Conviction of a felony
- Violation of safety rules, practices, policies (after appropriate training)
- Unauthorized absences during work hours
- Falsification of Town records

## § 33-34. COMPLAINT RESOLUTION

**Step 1.** Any employee who believes that they have in any manner been unfairly treated in accordance with this bylaw may appeal for relief from that condition. An employee must discuss the complaint initially with their direct supervisor. Then, if the matter is not settled, the employee should submit said complaint in writing to the department head. The department head shall respond in writing, within fourteen calendar days. If the employee's department head is also the immediate supervisor, he/she should proceed to Step 2.

**Step 2.** If the employee feels that his/her complaint is still unresolved, he/she may appeal to the Personnel Board within fourteen calendar days after receiving the decision of the Department Head. The Personnel Board may require a written statement from the employee in such form and containing such information as they may require. The Personnel Board shall hear the complaint at their next Regularly scheduled meeting and shall render a decision within 14 calendar days of the hearing. Any decision of the Personnel Board shall, within five (5) business days of its final decision, be transmitted to the Board of Selectmen.

### **§ 33-35. REDUCTION IN FORCE (RIF)**

In the event that, it becomes necessary to reduce the number of employees or their hours under the Personnel By-law, the Town of Littleton, in determining which of its employees are to be terminated, will take into consideration the departmental needs, the qualifications of such employees and the quality of their past performance.

Where, in the opinion of the appointing authority, the qualifications and quality of performance of employees are equal, employees will be terminated in the order of reverse seniority as employees of the department.

The employee will be notified whenever possible four (4) weeks in advance of the layoff or reduction in schedule, insofar as practicable.

- A. An employee who has been laid off shall be entitled to recall rights for a period of two (2) year from the effective date of his/her layoff.
- B. Recall notices shall be sent via certified or registered mail. Employees are required to keep the Town informed of their current mailing address.
- C. An employee who is recalled must report to work within 14 calendar days of the date of mailing the recall notice or some other mutually agreed upon time.
- D. An employee recalled within one year of his/her day of lay off will return to their former classification with service accrued up to the time of lay off.

### **§ 33-36. WORKING FROM HOME**

Employees covered by this by-law who have assigned office space are not permitted to work From home. Our goal is to have town offices open to the public whenever possible. The appointing authority of the employee must grant permission for any exceptions to this policy.

### **§ 33-37. TECHNOLOGY USAGE**

The technology usage policy covers all computer, communications, and information technology systems. This includes, but is not limited to: computers, internet services, e-mail, telephones and fax machines. Any employee abusing the privileges and authorized uses of this technology will be subject to disciplinary action ranging from oral reprimand to dismissal and/or legal prosecution.

### **§33-38. DISCRIMINATION AND SEXUAL HARASSMENT**

As stated in Federal, and State Law.

### **§33-39. SEVERABILITY**

In the event that any provision of this chapter, or application thereof, shall be held to be invalid by the proper authorities, this shall not be construed to affect the validity of any other provision, or application thereof, of this chapter.

**§33-40. DRUG FREE WORKPLACE**

As stated by Town’s current policy.

**§33-41. WORKERS COMPENSATION**

As stated in State Law and the Town’s policy.

**TOWN OF LITTLETON, MASSACHUSETTS  
FY 2011 CLASSIFICATION & COMPENSATION PLAN**

**Schedule A, Permanent Full and Part-time Employees**

<b>GRADE</b>		<b>STEP 1</b>	<b>STEP 2</b>	<b>STEP 3</b>	<b>STEP 4</b>	<b>STEP 5</b>	<b>STEP 6</b>	<b>STEP 7</b>
<b>1</b>	<i>hourly</i>	\$8.82	\$ 9.13	\$9.44	\$9.79	\$10.11	\$10.47	\$10.85
	<i>annual</i>	18,416.16	19,063.44	19,710.72	20,441.52	21,109.68	21,861.36	22,654.80
<b>2</b>	<i>hourly</i>	10.97	11.35	11.77	12.17	12.59	13.04	13.49
	<i>annual</i>	22,905.36	23,698.80	24,575.76	25,410.96	26,287.92	27,227.52	28,167.12
<b>3</b>	<i>hourly</i>	13.79	14.27	14.77	15.30	15.83	16.38	16.95
	<i>annual</i>	28,793.52	29,795.76	30,839.76	31,946.40	33,053.04	34,201.44	35,391.60
<b>4</b>	<i>hourly</i>	15.87	16.41	16.98	17.58	18.20	18.84	19.50
	<i>annual</i>	33,136.56	34,264.08	35,454.24	36,707.04	38,001.60	39,337.92	40,716.00
<b>5</b>	<i>hourly</i>	16.65	17.22	17.82	18.46	19.12	19.77	20.46
	<i>annual</i>	34,765.20	35,955.36	37,208.16	38,544.48	39,922.56	41,279.76	42,720.48
<b>6</b>	<i>hourly</i>	17.48	18.10	18.72	19.37	20.07	20.76	21.48
	<i>annual</i>	36,498.24	37,792.80	39,087.36	40,444.56	41,906.16	43,346.88	44,850.24
<b>7</b>	<i>hourly</i>	18.35	19.01	19.66	20.35	21.06	21.81	22.55
	<i>annual</i>	38,314.80	39,692.88	41,050.08	42,490.80	43,973.28	45,539.28	47,084.40
<b>8</b>	<i>hourly</i>	19.28	19.95	20.65	21.37	22.11	22.89	23.69
	<i>annual</i>	40,256.64	41,655.60	43,117.20	44,620.56	46,165.68	47,794.32	49,464.72
<b>9</b>	<i>hourly</i>	20.24	20.95	21.66	22.43	23.22	24.05	24.88
	<i>annual</i>	42,261.12	43,743.60	45,226.08	46,833.84	48,483.36	50,216.40	51,949.44
<b>10</b>	<i>hourly</i>	21.25	22.00	22.76	23.55	24.39	25.24	26.14
	<i>annual</i>	44,370.00	45,936.00	47,522.88	49,172.40	50,926.32	52,701.12	54,580.32
<b>11</b>	<i>hourly</i>	26.56	27.50	28.45	29.44	30.49	31.54	32.65
	<i>annual</i>	55,457.28	57,420.00	59,403.60	61,470.72	63,663.12	65,855.52	68,173.20
<b>12</b>	<i>hourly</i>	33.21	34.37	35.58	36.80	38.09	39.45	40.82
	<i>annual</i>	69,342.48	71,764.56	74,291.04	76,838.40	79,531.92	82,371.60	85,232.16
<b>13</b>	<i>hourly</i>	38.19	39.53	40.91	42.34	43.81	45.34	46.93
	<i>annual</i>	79,740.72	82,538.64	85,420.08	88,405.92	91,475.28	94,669.92	97,989.84

**GRADE 1**

Library Assistant

**GRADE 2***No positions assigned***GRADE 3**

Cemetery Laborer

Crossing Guard

Library Technician

**GRADE 4**

Building Custodian

Finance Technician

Department Clerk

**GRADE 5**

Administrative Clerk

Assessment Clerk

Cemetery Groundskeeper

PRCE Program Coordinator

Senior Library Technician

**GRADE 6**

Administrative Assistant

Communications Officer (part-time)

Program Coordinator/Social Day Program

**GRADE 7**

Assessment Analyst

Assistant Accountant

PRCE Assistant Director

Reserve Police Officer

Coordinator for Outreach and Respite Care

**GRADE 8**

Conservation Coordinator/Administrator

Maintenance Supervisor

Senior Librarian

**GRADE 9**

Cemetery Administrator

Council on Aging Director

Executive Assistant to the Town Administrator

Assistant Treasurer/Payroll &amp; Benefits Coordinator

**GRADE 10**

Tax Collector

**GRADE 11**

Building Commissioner

Chief Assessor

PRCE Director

Planning Administrator/Permit Coordinator

Town Treasurer

**GRADE 12**

Highway Operations Manager

Information Systems Manager

**GRADE 13***No positions assigned***SCHEDULE B:**

COA Dispatcher	\$10.00 per hour
COA Van Driver	\$15.00 per hour
On-Call Meeting Clerk	\$11.65 per hour
PR&CE Preschool Coordinator/ Lead Coordinator	\$15.00 per hour

**SCHEDULE C:** Temporary/Seasonal Park & Recreation Department positions

<b>GRADE</b>	<b>STEP 1</b>	<b>STEP 2</b>	<b>STEP 3</b>	<b>STEP 4</b>	<b>STEP 5</b>
<b>1 hourly</b>	\$8.75	\$9.01	\$9.28	\$9.56	\$9.85
<b>2 hourly</b>	\$9.25	\$9.53	\$9.81	\$10.11	\$10.41
<b>3 hourly</b>	\$10.00	\$10.30	\$10.61	\$10.93	\$11.26
<b>4 hourly</b>	\$10.50	\$10.82	\$11.14	\$11.47	\$11.82
<b>5 hourly</b>	\$12.00	\$12.36	\$12.73	\$13.11	\$13.51
<b>6 hourly</b>	\$14.00	\$14.42	\$14.85	\$15.30	\$15.76
<b>7 hourly</b>	\$15.25	\$15.71	\$16.18	\$16.66	\$17.16
<b>8 hourly</b>	\$16.50	\$17.00	\$17.50	\$18.03	\$18.57
<b>9 hourly</b>	\$17.25	\$17.77	\$18.30	\$18.85	\$19.42
<b>10 hourly</b>	\$19.00	\$19.57	\$20.16	\$20.76	\$21.38

**GRADE 1**

Special Activities  
 Snack Hut Attendant  
 Boat Rental Attendant  
 Camp Tahattawan Junior Counselor

**GRADE 2**

Senior Counselor - Tahattawan  
 Intern

**GRADE 3**

Lifeguard  
 Counselor Camp Prouty  
 Snack Hut Manager  
 Lead Counselor - Tahattawan

**GRADE 4**

Sailing Instructor  
 Water Safety Instructor  
 Camp Specialist-Sports

**GRADE 5**

Camp Specialist-Art

Summer Program Coordinator

**GRADE 6**

Camp Specialist-Science and Nature  
 Head Guard  
 Assistant Director/CIT Director - Tahattawan  
 Camp Specialist-Music

**GRADE 7**

Sailing Coordinator  
 Assistant Director - Prouty

**GRADE 8**

Camp Director Prouty  
 Camp Director Tahattawan  
 Aquatics Director

**GRADE 9**

Tennis Instructor  
 Golf Instructor  
 Special Programs Instructor

**GRADE 10**

Preschool Teacher

[Amended 5-4-2009 ATM, Art. 16; 5-3-2010 ATM, Art. 12]

**SCHEDULE C-1: Temporary/Seasonal/Fee-based Community Education Enrichment Program**

<b>GRADE</b>	<b>STEP 1</b>	<b>STEP 2</b>	<b>STEP 3</b>
<b>1 hourly</b>	8.50	8.93	9.37
<b>2 hourly</b>	14.00	14.70	15.44
<b>3 hourly</b>	20.00	21.00	22.05
<b>4 hourly</b>	25.00	26.25	27.56
<b>5 hourly</b>	30.00	31.50	33.08
<b>6 hourly</b>	35.00	36.75	38.59

**GRADE 1**

Community Education Teachers Aide

**GRADE 2**

Community Education Assistant

**GRADE 3**

Community Education Instructor 1

**GRADE 4**

Community Education Instructor 2

**GRADE 5**

Community Education Instructor 3

**GRADE 6**

Community Education Instructor 4

[Added 5-3-2010, ATM Art. 12]

**SCHEDULE D:** Fire Department On-Call

<b>GRADE</b>	<b>STEP 1</b>	<b>STEP 2</b>	<b>STEP 3</b>	<b>STEP 4</b>	<b>STEP 5</b>	<b>STEP 6</b>
<b>1 hourly</b>	\$8.17					
<b>2 hourly</b>	\$11.76	\$12.01	\$12.26	\$12.51	\$12.76	\$13.01
<b>3 hourly</b>	\$12.00	\$12.25	\$12.50	\$12.75	\$13.00	\$13.25
<b>4 hourly</b>	\$13.89	\$14.14	\$14.39	\$14.64	\$14.89	\$15.14
<b>5 hourly</b>	\$14.66	\$14.91	\$15.16	\$15.41	\$15.66	\$15.91
<b>6 hourly</b>	\$14.87	\$15.12	\$15.37	\$15.62	\$15.87	\$16.12

**GRADE 1**

Probation Fire Fighter or  
Emergency Medical Technician

**GRADE 2**

On Call Fire Fighter  
On Call Emergency Medical Technician

**GRADE 3**

On Call Fire Fighter/EMT

**GRADE 4**

On Call Lieutenant

**GRADE 5**

On Call Captain

**GRADE 6**

On Call Deputy Chief

Step increases on Schedule D will be awarded on the basis of performance as determined by the Fire Chief.

[Added 5-3-2010, ATM Art. 12]