

**SPECIAL TOWN MEETING WARRANT  
TUESDAY, NOVEMBER 14, 2006**

Commonwealth of Massachusetts,  
Middlesex, ss:

To the Constable of the Town of Littleton, Massachusetts in said County:

In the name of the Commonwealth of Massachusetts you are hereby required to notify the legal voters of the Town of Littleton, qualified to vote at said Special Town Meeting for the transaction of Town Affairs to meet in the Russell Street Elementary School Gymnasium on Russell Street in said Town of Littleton, on Tuesday, the fourteenth day of November, 2006 at 7:00 P.M. by posting a printed copy of this warrant, by you attested, at eight meeting houses, at the Town Office Building on Shattuck Street, at the Post Office at Littleton Common, at the Post Office at Littleton Depot, at the Baptist Church, at the Unitarian Church, at the Catholic Church, at the Congregational Church, and at the Mormon Church in said Town, fourteen days at least before the fourteenth day of November, 2006, then and there to act on the following articles, viz:

**ARTICLE 1:**

To see if the Town will vote to raise and appropriate and/or transfer from available funds, a sum of money to pay for unpaid bills from previous fiscal years, or to take any other action in relation thereto.

**BOARD OF SELECTMEN**

**FINANCE COMMITTEE: *Recommendation deferred until STM***

**ARTICLE 2:**

To see if the Town will vote to raise and appropriate, transfer from available funds and/or from surplus funds in some departments, a sum or sums of money to be used in conjunction with funds appropriated under current fiscal year budgets to be used during the current fiscal year to pay for the shortfall that would otherwise exist in the Fiscal Year 2007 budget of other departments, or to take any other action in relation thereto.

**BOARD OF SELECTMEN**

**FINANCE COMMITTEE: *Recommendation deferred until STM***

**ARTICLE 3:**

To see if the Town will vote to transfer from available funds, a sum or sums of money needed by various departments to complete the Fiscal Year ending June 30, 2007, or to take any other action in relation thereto.

**BOARD OF SELECTMEN**

**FINANCE COMMITTEE: *Recommendation deferred until STM***

**ARTICLE 4:**

To see if the Town will vote to establish an Ambulance Enterprise Fund pursuant to M.G.L. Chapter 44, Section 53F<sup>1</sup>/<sub>2</sub> of the General Laws, and to appropriate the sum of \$303,000.00 from said enterprise fund to finance the

operation of the Ambulance Department for the fiscal year beginning July 1, 2006, or take any other action in relation thereto.

**BOARD OF SELECTMEN**

**FINANCE COMMITTEE: Recommendation deferred until STM**

**ARTICLE 5:**

To see if the Town will vote to authorize the Selectmen to file an application with the Massachusetts' Economic Development Incentive Program to join with the Town of Boxborough in the 495 Regional Technology Center Economic Target Area (ETA), and request that the Massachusetts Economic Assistance Coordinating Council designate as an Economic Opportunity Area, pursuant to Chapter 23A, Sections 3E of the General Laws, for a term of up to twenty years, the land at 550 King Street, Littleton, MA, containing approximately 39.33 acres, more or less, and shown on Assessors Map U8, parcel 10, and to adopt a Tax Increment Financing Plan designating said Economic Opportunity Area as a Tax Increment Financing Zone pursuant to Chapter 40, section 59 of the General Laws, or to take any other action in relation thereto.

**BOARD OF SELECTMEN**

**FINANCE COMMITTEE: Recommendation deferred until STM**

**ARTICLE 6:**

To see if the Town will vote to amend Chapter 33 of the Town Code by deleting the existing Chapter 33 in its entirety and replacing it with the following:

Town of Littleton  
General Bylaw  
Chapter 33  
Personnel  
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## **Purpose**

The Town of Littleton seeks to provide an efficient and professional work environment that attracts and retains employees dedicated to the mission of town government. The Town recognizes its obligation to foster this environment, in part, through personnel administration policies that promote excellence, are equitable in nature and remain adaptable to changing needs and situations.

### **§33-1. Applicability**

This chapter shall apply to all Town of Littleton (“the Town”) departments and to all positions of all employees in the service of the Town, whether full or part-time, temporary, seasonal, special, intermittent or any type of employment, other than the School Department, 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.

Those positions filled by popular election which are benefit eligible, shall be afforded all rights in this personnel bylaw other than inclusion in the Classification and Pay Schedule (Section §33-30). In any section of this bylaw where salary and compensation are mentioned it is understood that it does not apply to those positions filled by popular election.

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, with or without cause. 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 race, color, religious creed, national origin, ancestry, gender, sexual orientation, veteran status, age and disability.

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

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

### **§33-2. Mandatory Classification**

No person shall be appointed, employed or paid as a Town employee in any position under the Classification and Pay Schedule (§33-30) or under any title other than that of the Grade to which the position is allocated.

### **§33-3. Employee Categories**

- A. All positions subject to the provisions of this chapter shall fall into one of the following categories;

- (1) Benefit eligible employees shall work 20 hours or more 52 weeks per year
- (2) Non-benefit eligible employees shall work a schedule of less than # A (1) above.

- B. These categories will determine an employee's eligibility for benefits as specified by this chapter.
- C. Employees may be changed from one grade to another grade only after a Payroll Change Authorization Form has been approved by the elected board, department head, and the Personnel Board.

#### **§33-4. Allocation, Reclassification and New Positions**

- A. The Personnel Board, upon the recommendation in writing from the department head, shall allocate each position subject to the provision of the Classification and Pay Schedule (§33-30) to its appropriate grade and level. Whenever a new position is established, or the duties of an existing position are so changed that, in effect, a new position of a different grade is substituted for the old position, the Personnel Board, with the approval of the department head, shall allocate such position to an appropriate Grade and Level.
- B. The Personnel Board shall afford reasonable opportunity to any employee or any department head affected by such a new position or change in grade to be heard.
- C. Personnel records shall be maintained in a detailed, accurate and safe manner in accordance with state and federal laws and regulations. The personnel records of the Town, other than the School Department records, shall be kept in the Treasurer's Office/Board of Selectmen's office as appropriate.
- D. No employee may be reclassified to a position in another grade, either higher or lower, until the Personnel Board has determined that such a reclassification will be consistent with the provisions of the Classification and Pay Schedule.

#### **§33-5. Reclassification and Hiring**

- A. In hiring employees the following procedure shall be used in filling all benefit eligible positions and non-benefit eligible positions.
  - (1) A job description agreed to by both the hiring department or Board Chairman and the Personnel Board must be completed prior to the announcement of the job opening.
  - (2) The hiring grade and level for the job must be in accordance with the Classification and Pay Schedule or be developed with the Personnel Board prior to the announcement of the job opening.
  - (3) Announcement of job opening;
    - (a) The job opening must be posted on the Town Hall bulletin board for 2 weeks prior to the posting being published on at least one occasion in a newspaper having a general circulation in the Town, no less than 14 days prior to the date the position is filled.

(b) The announcement will include:

- [1] Job Title
- [2] Pay Rate
- [3] Summary statement of duties
- [4] Direction on where and how applications may be filed

- B. Records of all job applicants shall be retained by the Personnel Board for a period of one year after the job is filled. [whatever the law requires]
- C. A payroll change authorization with the required approvals shall be submitted to the Personnel Board for all new employees or for pay level change of an incumbent employee before being given to the Treasurer's Office and before the new employee begins work.

### **§33-6. Job Descriptions and Interpretations**

- A. The Personnel Board shall maintain written job descriptions, showing grades and levels, of the jobs or positions in the Classification and Pay Schedule, which descriptions shall be written definitions including statements describing the kind of work, the distinguishing features of the work and such illustrative examples of duties as may be deemed appropriate. The Personnel Board may amend such job descriptions from time to time after meeting and discussing the proposed changes with the department head, elected Board or Commission and/or employee affected by the changes.
- B. The description of any position shall be construed solely as a means of identification and not as limiting what the duties and responsibilities of any person shall be, or as modifying or in any way affecting the power of any administrative authority, as otherwise existing, to assign duties to or to direct and control the work of any employee under the jurisdiction of such authority.

### **§33-7. Classification and Pay Schedule**

The Classification and Pay Schedule of the plan, set forth in §33-30 of this chapter, shall consist of the minimum and maximum salaries by grade and level for the positions in the Classification and Pay Schedule. The Classification and Pay Schedule shall be reviewed and updated annually to be incorporated into the budget process as outlined in §33-12.

### **§33-8. Personnel Rate Above Maximum**

Any salary rate which is above the maximum rate 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 pay rate shall be red circled until the normal level increases for that grade surpass the red circled rate. When such incumbent leaves the employ of the Town, or is transferred to another job, or a new maximum higher than the personal rate is established, the personal rate shall disappear. No other employee assigned to or hired for such a job shall advance beyond the maximum rate of the job.

### **§33-9 Level-Rate Increases**

All employees covered by the Classification and Pay Schedule shall automatically receive annual Level increase as of each July 1, which All employees receiving an evaluation rating of Satisfactory on his/her annual review shall receive a 1% merit increase in pay in addition to his/her annual COLA and Level increase. An employee receiving a rating for Outstanding on his/her annual review shall receive

a 2% merit increase in pay in addition to his/her annual COLA and Level increase for that year. The failure to conduct a performance evaluation within the fiscal year shall result in the performance evaluation review with a rating of Satisfactory to be placed in the employee's file and an automatic 1% merit increase in pay in addition to his/her COLA and Level increase.

### **§33-10. Transfer and Promotions of Employees**

- A. When an employee is promoted to a higher-rated grade, he/she shall enter it at the minimum of the job level range or at his/her own level, whichever is higher, provided that the Town Meeting has funded the higher rate. He/she may also receive a one level rate increase at the time if the department head recommends that qualifications and performance warrant it, and the Personnel Board approves. If the department head should feel that there should be an introductory period before recommending the promotional one level rate increase, on recommendation of the department head the Personnel Board may approve such a deferred promotional increase at the conclusion of the introductory period. The introductory period must be specified, justified and explained to the employee in writing.
- B. If the employee is transferred to a lower grade job, he/she shall enter it at his/her own level or at the maximum level 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.

### **§33-11. Pay Rate for New Personnel**

It is the intent of the Town to hire all employees at Level 1 in the assigned Grade. If because of recruitment difficulties or an applicant's exceptional qualifications, a department head or appointing authority may submit a request to the Personnel Board to hire an applicant above the assigned level.

### **§33-12. Department Pay Adjustment Section in Annual Budget**

Each department head shall include in the annual budget a pay adjustment section to provide funds for anticipated pay adjustments (level increases) during the ensuing year, expenditures shall be made only in accordance with the Salary Administration Plan with the approval of the Personnel Board.

### **§33-13. Holidays**

- A. All benefit eligible employees shall receive one day at straight time for the following 12 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         | (1) Floating Holiday (with Approval of Dept head) |

- 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.

### **§33-14. Personal Days**

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

### **§33-15. 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 5<sup>th</sup> 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 10<sup>th</sup> 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 thousandths (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. Department heads may not offer vacation incentives without advising the Personnel Committee. If granted the employees then falls into the schedule adopted in Section B above.

### **§33-16. Personal Leave of Absence**

Personal leave of absence for a specified period of time may be granted by a department head and the Personnel Board 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 health and other insurance premiums to the Treasurer's office within the requested time frame.

### §33-17. 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 level 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.

### **§33-18. 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 military duty.

### **§33-19 Bereavement Leave**

Three days bereavement leave shall be afforded to benefit eligible employees upon the death of family members in the first degree of kindred to include spouse, parents, level-parents, siblings, level-siblings, children, and level-children, grandparents, and parents of spouse.

Vacation time will be granted for use as bereavement upon the death of family members not specifically mentioned above. Vacation time will be granted to those employees who require additional bereavement leave.

### **§33-20. 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.

### **§33-21. Overtime and Compensatory Time**

Hourly employees begin to accrue overtime after they have worked 40 hours in a week and it must be pre-approved by the department head and their budget must have funds available. 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 time sheets 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 hours are scheduled the rate of pay will be at time and a half the employees regular rate.

### **§33-22. Medical Examination**

It shall be the policy of the Littleton Board of Selectmen to require all newly hired benefit eligible employees to undertake a pre-employment physical prior to commencing work for the Town of Littleton. Dated April 2003.

### **§33-23. Grievance Procedure**

- A. If any Town employee who comes under this chapter feels that he/she has not been fairly treated in accordance with this chapter, such employee may enter a grievance by writing to his/her immediate supervisor.
- B. If the Supervisor has not given the employee an acceptable reply within three working days, the employee may enter a written complaint directly to their Board or Commission and then the Personnel Board.
- C. If the Board or Commission has not given the employee an acceptable reply within 15 days, or a practicable time that coincides with the Board's meeting schedule, the employee may enter a written complaint to the Personnel Board.
- D. If the Personnel Board has not given the employee an acceptable reply within 15 working days or a practicable time that coincides with the board's meeting schedule, the employee may enter a written complaint to the Board of Selectmen.
- E. The Board of Selectmen must hold a hearing with the employee within 15 working days or a practicable time that coincides with the Board's meeting schedule and give a written response to the employee within 15 working days of the hearing.
- F. The response of the Board of Selectmen shall be final.

### **§33-24. Personnel Board**

The Town establishes a Committee on Personnel which will report to the Board of Selectmen on matters of personnel policies and practices which affect the non-union employees of the Town of Littleton. The members of the Committee shall review and make recommendations to the Selectmen on all current and proposed personnel policies and procedures, compensation schedules and other matters, which directly affect the non-union employees of the Town.

#### **Membership; appointments; terms.**

The Committee shall be made of the following: one member of the Board of Selectmen, one member of the Finance Committee; two benefit eligible employees, (pursuant to Sec. §33-3) one of whom shall be a department head, two citizens, one of whom should be a human resources professional; and the Town Administrator. All appointments of the Committee shall be made by the Selectmen for a term of three years, with the exception of the Town department head and employee at large, who shall be elected for a term of one year, by their peers prior to July 1 each year.

#### **Structure: meetings.**

- A. The Committee 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 Committee shall meet at least quarterly with minutes of such meetings taken and forwarded to the Board of Selectmen and filed with the Town Clerk.

### **§33-25. 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.
- B. The Personnel Board shall meet at least once annually with all department heads, Selectmen and the Finance Committee Chairman.
- C. The Personnel Board shall meet annually with all Town employees.
- D. The Personnel Board shall post all meeting dates and times and these will be public meetings.

### **§33-26. Amendment of Employee Classification and Pay Schedule**

The Classification and Pay Schedule (§ 33-30) may be amended in the same manner in which the Town bylaw may be amended; provided, however, that no amendment to the schedule shall be made until it has been presented by signed petition addressed to and submitted to the Personnel Board and acted upon by the Board. Any proposed amendment to the Schedule must first be approved by the Board prior to any review by the Finance Committee during the budgeting process. Upon receipt of such a written petition, the Board, after giving the petitioner, the heads of the departments and employees affected at least three days written notice, shall hold a hearing of the parties interested to consider the proposed amendment. If the Personnel Board shall fail to act on the amendment so presented within 15 days after the hearing thereon, the Board shall be deemed to have disapproved the amendment. The petition may then be presented to the Town Meeting for consideration and action, if so desired. The Board may of its own motion after a similar hearing of or conference with the parties interested propose an amendment to the schedule.

### **§33-27. Sexual Harassment.**

**See the Approved Town of Littleton policy dated 1998.**

### **§33-28. 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.

### **§33-29. Classification and Pay Schedule**

See Appendix A for schedule.

The positions filled by popular election are not part of the Classification and Pay Schedule. According to MGL Chapter 41, Section 108 and 108A a Town cannot establish by bylaw a compensation plan classifying elected officials. The salaries must be set annually by Town Meeting. The Personnel Board, though not responsible for elected official's salaries, will be available in an advisory capacity if so requested. The elected positions on this plan are there for comparative purposes only.

### **§33-30. Cost of Living Adjustment**

The Personnel Board, during the annual budget process, shall determine an appropriate percentage cost of living adjustment and apply the increase for the entire compensation schedule equal to the changes in the cost of living. This cost of living increase shall be equal to the percentage increase in the Consumer Price Index for Urban Wage Earners and Clerical Workers (CPI-W) from the third quarter of one year to the third quarter of the next and derived from monthly CPI-Ws developed by the U.S. Department of Labor, [Bureau of Labor Statistics](#).

### **§33-31. Longevity Pay**

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

#### **Lump Sum**

#### **Years of Service Payment**

5-9 years \$800

10-14 years \$850

15-19 years \$900

20+ years \$950

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 Bylaws Classification and Pay Schedule 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.

### **§33-32. Insurance Coverage**

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

#### ***HEALTH INSURANCE***

The Town of Littleton pays 70% and the employee pays 30% of health insurance premiums. These 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 coverages 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 you Part B coverage until retirement.

#### ***RETIRED EMPLOYEES***

Retired employees under 65 will be covered by the Town's active health plans until age 65 at which time you must carry Medicare, if you are eligible as their primary insurance and they can also be covered by 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.

Employees are eligible for continued coverage after retirement if they have been employed by the Town for at least 10 years and have been a subscriber in the Town's health care program for at least 5 years prior to retirement. The cost of coverage is 70% by the Town and 30% by the retiree.

#### ***BASIC LIFE INSURANCE***

The basic life insurance offered by the Town is \$10,000. The Town pays 70% and the employees pay 30% of the cost. This is automatically deducted 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.

#### ***HIPPA - Federal Law***

HIPPA describes how the Town may use and disclose your protected health information to carry out treatment, payment or health care operations and for other purposes that are permitted or required by law. It also describes your rights to access and control your protected health information. "Protected Health information" is information about you, including demographic information, that may identify you and that relates to your past, present or future physical or mental health or condition and related health care services.

#### **§33-33. 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.

#### **§33-34. Performance Evaluation and Merit Pay**

All employees covered by this bylaw (except those elected by popular election) shall have a performance evaluation annually. Supervisor(s) shall review the job description and personnel policies with all new employees. Goals and objectives for the fiscal year will be discussed and noted as will the methods to successfully accomplish such goals. Before the end of the fiscal year, the supervisor(s) will evaluate each of their employee's performance using the employee's current job description, goals and objectives. The supervisor(s) will document significant accomplishments and any requirements for needed improvements in performance. The supervisor will give the employee a performance rating of Outstanding, Satisfactory or Needs Improvement. The supervisor(s) will arrange a meeting with the employee to discuss the performance evaluation. The employee will be given a

copy of the evaluation form. Employees may respond I writing to the evaluation and/or requirements for improvement. Responses will be added to the employee's evaluation. The performance ratings (Outstanding, Satisfactory or Needs Improvement) shall be placed in the employee's personnel files located in the Treasurer's/Town Administrator's Office. Performance evaluations are designed to provide a basis for better understanding between an employee and their supervisor(s) with respect to the employee's job performance, potential and development within the Town. Ongoing, informal meetings to discuss objectives and goals are encouraged.

An employee receiving a performance rating of Outstanding shall receive an additional 2% increase in their new pay rate. An employee receiving a performance rating of Satisfactory shall receive an additional 1% increase in their new pay rate.

**§33-35. Drug Free Workplace**

See the Approved Town of Littleton policy

**§33-36. Criminal Offender Record Investigation (CORI)**

The Town shall conduct a Criminal Offender Record Information (CORI) investigation on current and prospective employees and volunteers of the Town who may have unsupervised or unobserved contact with other employees or volunteers or with persons participating in Town programs. Such positions would include those under the jurisdiction of the Parks and Recreation Department, Council on Aging, Library as well as any other positions under the authority of other Town departments which may involve unsupervised or unobserved contact with others.

**§33-37. Layoff, Reduction of Hours and Reinstatement**

If the Town finds it necessary to layoff employees or reduce the hours of employees, that this procedure set forth in this article shall apply.

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 one (1) 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 grade with service accrued up to the time of lay off.

**CLASSIFICATION AND PAY SCHEDULE -  
AWAITING PERSONNEL COMMITTEE FIGURES**

**Appendix A  
SALARY ADMINISTRATION PLAN  
CLASSIFICATION AND PAY SCHEDULE  
FY\*\***



|           |       |         |         |         |         |         |         |         |
|-----------|-------|---------|---------|---------|---------|---------|---------|---------|
|           |       |         |         |         |         |         |         |         |
|           | Grade | Level 1 | Level 2 | Level 3 | Level 4 | Level 5 | Level 6 | Level 7 |
| hourly    |       | \$0.00  | \$0.00  | \$0.00  | \$0.00  | \$0.00  | \$0.00  | \$0.00  |
| 35 salary | 8     | \$0.00  | \$0.00  | \$0.00  | \$0.00  | \$0.00  | \$0.00  | \$0.00  |
| 40 salary |       | \$0.00  | \$0.00  | \$0.00  | \$0.00  | \$0.00  | \$0.00  | \$0.00  |
|           |       |         |         |         |         |         |         |         |
|           |       |         |         |         |         |         |         |         |
|           | Grade | Level 1 | Level 2 | Level 3 | Level 4 | Level 5 | Level 6 | Level 7 |
| hourly    |       | \$0.00  | \$0.00  | \$0.00  | \$0.00  | \$0.00  | \$0.00  | \$0.00  |
| 35 salary | 9     | \$0.00  | \$0.00  | \$0.00  | \$0.00  | \$0.00  | \$0.00  | \$0.00  |
| 40 salary |       | \$0.00  | \$0.00  | \$0.00  | \$0.00  | \$0.00  | \$0.00  | \$0.00  |
|           |       |         |         |         |         |         |         |         |
|           |       |         |         |         |         |         |         |         |
|           | Grade | Level 1 | Level 2 | Level 3 | Level 4 | Level 5 | Level 6 | Level 7 |
| hourly    |       | \$0.00  | \$0.00  | \$0.00  | \$0.00  | \$0.00  | \$0.00  | \$0.00  |
| 35 salary | 10    | \$0.00  | \$0.00  | \$0.00  | \$0.00  | \$0.00  | \$0.00  | \$0.00  |
| 40 salary |       | \$0.00  | \$0.00  | \$0.00  | \$0.00  | \$0.00  | \$0.00  | \$0.00  |
|           |       |         |         |         |         |         |         |         |
|           |       |         |         |         |         |         |         |         |
|           | Grade | Level 1 | Level 2 | Level 3 | Level 4 | Level 5 | Level 6 | Level 7 |
| hourly    |       | \$0.00  | \$0.00  | \$0.00  | \$0.00  | \$0.00  | \$0.00  | \$0.00  |
| 35 salary | 11    | \$0.00  | \$0.00  | \$0.00  | \$0.00  | \$0.00  | \$0.00  | \$0.00  |
| 40 salary |       | \$0.00  | \$0.00  | \$0.00  | \$0.00  | \$0.00  | \$0.00  | \$0.00  |
|           |       |         |         |         |         |         |         |         |
|           |       |         |         |         |         |         |         |         |
|           | Grade | Level 1 | Level 2 | Level 3 | Level 4 | Level 5 | Level 6 | Level 7 |
| hourly    |       | \$0.00  | \$0.00  | \$0.00  | \$0.00  | \$0.00  | \$0.00  | \$0.00  |
| 35 salary | 12    | \$0.00  | \$0.00  | \$0.00  | \$0.00  | \$0.00  | \$0.00  | \$0.00  |
| 40 salary |       | \$0.00  | \$0.00  | \$0.00  | \$0.00  | \$0.00  | \$0.00  | \$0.00  |
|           |       |         |         |         |         |         |         |         |
|           |       |         |         |         |         |         |         |         |
|           | Grade | Level 1 | Level 2 | Level 3 | Level 4 | Level 5 | Level 6 | Level 7 |
| hourly    |       | \$0.00  | \$0.00  | \$0.00  | \$0.00  | \$0.00  | \$0.00  | \$0.00  |
| 35 salary | 13    | \$0.00  | \$0.00  | \$0.00  | \$0.00  | \$0.00  | \$0.00  | \$0.00  |
| 40 salary |       | \$0.00  | \$0.00  | \$0.00  | \$0.00  | \$0.00  | \$0.00  | \$0.00  |
|           |       |         |         |         |         |         |         |         |
|           |       |         |         |         |         |         |         |         |

, or to take any other action in relation thereto.

**CITIZENS' PETITION**

*FINANCE COMMITTEE: Recommendation deferred until STM*

**ARTICLE 7:**

To see if the Town of Littleton will give the town owned land known as 500 Great Road, Littleton, MA to the Littleton Housing Authority for the purpose of building one and two bedroom rental housing for citizens that meet the Massachusetts affordable rental housing criteria.

The funds to do the feasibility studies and to build the one and two bedroom rental housing will be provided by the State of Massachusetts. In the event that after 7 years the State of Massachusetts fails to provide the funding the land will revert to the Town of Littleton, or to take any other action in relation thereto.

*CITIZEN'S PETITION*

**ARTICLE 8:**

To see if the Town will vote to amend Article XVIII, Chapter 173, section 173-86 Classification, paragraph A, by adding the following:

“In no case may projects of 50,000 square feet gross floor area in retail use be permitted”, or to take any other action in relation thereto.

*CITIZEN'S PETITION*

**ARTICLE 9:**

To see if the Town will vote to raise and appropriate, transfer from available funds and/or borrow a sum or sums of money in order to fund engineering, design and preparation of plans, specifications and bid documents to connect the Police and Fire Stations at 20 Foster Street and the Houghton Memorial Building at Rogers Street to the existing sewer line and waste water collection system at Russell Street, or to take any other action in relation thereto.

**REQUESTED: \$30,000.00**

*BOARD OF SELECTMEN*

*FINANCE COMMITTEE: Recommendation deferred until STM*

**ARTICLE 10:**

To see if the Town will vote to raise and appropriate, transfer from available funds, and/or borrow the sum of \$5,000.00 in order to retain the services of a personnel consultant to assist the Personnel Committee with the Town's Compensation/Classification Plan, or to take any other action in relation thereto.

*BOARD OF SELECTMEN*

**REQUESTED: \$5,000.00**

*FINANCE COMMITTEE: Recommendation deferred until STM*

**ARTICLE 11:**

To see if the Town will vote to raise and appropriate, transfer from available funds and/or borrow a sum or sums of money for the purpose of design services

for a new septic system at the Long Lake beach house, or to take any other action relative thereto.

**PARK AND RECREATION COMMISSION**

**REQUESTED: \$5,000.00:**

**FINANCE COMMITTEE: Recommendation deferred until STM**

**ARTICLE 12:**

To see if the Town will vote to raise and appropriate, transfer from available funds and/or borrow a sum or sums of money for the purpose of feasibility/ design services for relocation of the Park and Recreation Department to either Long Lake (current beach house) or 300 King Street, or to take any other action in relation thereto.

**PARK AND RECREATION COMMISSION**

**REQUESTED: \$45,000.00:**

**FINANCE COMMITTEE: Recommendation deferred until STM**

**ARTICLE 13:**

To see if the Town will vote to transfer a parcel of land, currently under the control of the Cemetery Commission, pursuant to Chapter 40, Section 15 of the General Laws, so that it may be designated as general municipal land; provided, however, that such transfer shall not become effective until the Town votes to authorize the lease of such parcel for a minimum of ten years for the purpose of constructing, maintaining, and operating a wireless telecommunications facility thereon and to require that all rental proceeds from any such lease or leases be deposited by the Treasurer into the Cemetery Commission's surplus account; and provided further that such parcel shall be transferred back to the Cemetery Commission when the parcel is no longer used for telecommunication purposes, or to take any other action in relation thereto.

**CEMETERY COMMISSION**

**ARTICLE 14:**

To see if the Town will vote, pursuant to Chapter 40, section 3 of the General Laws, to authorize the Board of Selectmen to lease, for a maximum of ten years, a portion of Town land located at 7 New Estate Road to the winner of a competitive bid and up to two additional winning co-locator bidders, selected pursuant to Chapter 30B of the General Laws, for the purpose of constructing maintaining and operating a wireless telecommunication facility thereon subject to the grant of a special permit therefore by the Planning Board; provided, however, that all rental proceeds from any such lease or leases shall be deposited by the Treasurer into the Cemetery Commission's surplus account, or to take any other action in relation thereto.

**CEMETERY COMMISSION**

**ARTICLE 15:**

To see if the Town will vote, pursuant to Chapter 44, Section 53E½ of the General Laws to authorizes the use of a revolving fund under the control of the Cemetery Commission, containing receipts from the fees charged to users of the

services provided, for the purpose of making expenditures in connection with the pet cemetery at Westlawn Cemetery, or to take any other action in relation thereto.

**CEMETERY COMMISSION**

**ARTICLE 16:**

To see if the Town will vote, pursuant to Chapter 40, section 3 of the General Laws, to authorize the Water Commissioners to lease, for a maximum of ten years, a 2,500-square-foot portion of the Water Department's Well # 2 property, located at 521 Great Road and shown as Parcel 14-1 on Assessor's Map R-18, to the winner of a competitive bid and up to two additional winning co-locator bidders, selected pursuant to Chapter 30B of the General Laws, for the purpose of constructing, maintaining and operating a wireless telecommunication facility thereon subject to the grant of a special permit therefore by the Planning Board; provided, however, that all rental proceeds from any such lease or leases shall be deposited by the Treasurer into the Water Department's surplus account, or to take any other action in relation thereto.

**BOARD OF WATER COMMISSIONERS**

**ARTICLE 17:**

To see if the Town will vote to raise and appropriate, transfer from available funds and/or borrow a sum or sums of money in order to enter into a contract or contracts to upgrade the Town's financial accounting/reporting system, including all capital, hardware, software, training, licensing, support and all other costs related and incidental to, or to take any other action in relation thereto.

**SELECTMEN/TOWN ACCOUNTANT**

**REQUESTED: \$150,000.00**

**FINANCE COMMITTEE: Recommendation deferred until STM**

**ARTICLE 18:**

To see if the Town will vote to authorize the granting of a fill easement on Town property as shown on a plan of land entitled "Proposed Sewage Disposal System Upgrade" for 51 Lake Shore Drive, Littleton, Massachusetts, prepared by R. Wilson and Associates, dated June 11, 2004 (last revised February 15, 2006), in order to facilitate the construction and maintenance of retaining walls as part of the septic system for 51 Lake Shore Drive, or to take any other action in relation thereto.

**BOARD OF SELECTMEN**

**ARTICLE 19:**

To see if the Town will vote to authorize the Board of Selectmen to acquire in fee, by gift or otherwise, a certain parcel of land located on the northerly side of Ayer Road in the Town of Littleton, totaling approximately 1.0 acres and as shown on Assessors Map U43, Parcel 3-3; said parcel to be managed and controlled by the Town of Littleton for general municipal purposes, or to take any other action in relation thereto.

**BOARD OF SELECTMEN**

*FINANCE COMMITTEE: Recommendation deferred until STM*

**ARTICLE 20:           ACCEPTANCE OF HIGHLAND LANE**

To see if the Town will vote to accept, as a Town way, the laying out by the Board of Selectmen of the private way known as "Highland Lane" located in the Town of Littleton, Middlesex County, Commonwealth of Massachusetts, from the easterly end of Highland Lane to the end of the cul-de-sac, this being the entire road, more particularly described as follows: Beginning at the most easterly point of the land owned by John J. Sewell, Jr. and Robin L. Sewell and where it intersects with Russell Street, thence turning and running N61 28' 00" W a distance of 196.23', then turning and running along a curved line with a radius of 30.00' and an arc distance of 33.63', thence turning and running a total arc length of 457.60' with a radius of 85.00', thence turning and running along curved line with a radius of 30.00' with an arc length of 33.63', thence turning and running S61 28' 00" E a distance of 205.27', thence turning and running S41 16' 00" W a distance of 41' 00" to a point of beginning; as shown on a plan entitled: "Highland Farms" Definitive Subdivision of Land in Littleton, Mass. Prepared for Comfort Homes, Inc. by David E. Ross Associates, Inc., dated February 1998 ; and to take fee or easement in said road by eminent domain, including easements for drainage, utility or other purposes, or to take any other action in relation thereto.

**BOARD OF SELECTMEN**

**ARTICLE 21:**

To see if the Town will vote to appropriate the sum of \$90,000.00, which was approved by the Massachusetts General Court in the FY2006 Supplemental budget for the purposes of funding the signalization of the intersection of King Street at the High School entrance driveway and acquiring rights of way and aesthetic improvements as part of the High School Turning Lane roadway improvements project, or to take any other action in relation thereto.

**BOARD OF SELECTMEN**

*FINANCE COMMITTEE: Recommendation deferred until STM*

**ARTICLE 22:**

To see if the Town will vote and appropriate the sum of \$279,000 received from the Commonwealth as reimbursement for the Russell Street Roof project into a capital account reserved for the use of the School Department for future capital expenditure at the Russell Street School, or to take any other action in relation thereto.

**BOARD OF SELECTMEN**

*FINANCE COMMITTEE: Recommendation deferred until STM*

**ARTICLE 23:**

To see if the Town will vote to raise and appropriate a sum or sums of money in order to settle litigation regarding the High School Construction project, or to take any other action in relation thereto.

**REQUESTED: *Undetermined***

**BOARD OF SELECTMEN**

**FINANCE COMMITTEE: *Recommendation deferred until STM***

**ARTICLE 24:**

To see if the Town will vote to raise and appropriate and/or transfer from available funds a sum or sums of money to the Town's Stabilization Fund, or to take any other action in relation thereto.

**BOARD OF SELECTMEN**

**FINANCE COMMITTEE: *Recommendation deferred until STM***

Hereof fail not and make due returns of this warrant with your doing thereon to the Town Clerk at the place and at the time appointed for the meeting aforesaid.

Given under our hands this 16<sup>th</sup> day of October in the year of our Lord, two thousand and six.

LITTLETON BOARD OF SELECTMEN

\_\_\_\_\_  
Kenneth P. Eldridge, Chairman

\_\_\_\_\_  
Thomas C. Rauker, Vice-Chairman

\_\_\_\_\_  
Ivan G. Pagacik, Clerk

\_\_\_\_\_  
Reed A. Augliere, Member

\_\_\_\_\_  
Alexander S. McCurdy, Member

A TRUE COPY ATTEST:

\_\_\_\_\_  
John M. Kelly, Constable  
Town of Littleton