

# **Town of Kingston Wage and Personnel ByLaw**



Effective July 1, 2011 – June 30, 2012

## **Section 1. Authorization**

Pursuant to the authority contained in Sections 108A and 108C of Chapter 41 of the Massachusetts General Laws (M.G.L.), there shall be established plans, which may be amended from time to time by vote of the Town of Kingston (the "Town") at an Annual or Special Town Meeting: (a) classifying positions in the service of the Town, other than those filled by popular election, those under collective bargaining, those under the direction and control of the School Committee, those whose employment is regulated by employment agreement, and the position of Town Counsel, 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 maintenance of said classification and compensation plans; and (d) establishing working conditions and employee benefits for those occupying positions in the classification plan.

## **Section 2. Definitions**

*Appointing Authority* – Any board or official authorized by M.G.L., the Town bylaw, or otherwise to appoint employees to positions in Town Service.

*Base Pay* – The rate of pay established for a position by the Compensation Plan prior to inclusion of any longevity, differential or other special pay.

*Benefit-eligible Part-time Employment* – Appointment to a position in Town service for a regular schedule of 20 or more hours per week but less than full-time. Benefit-eligible part-time employees are eligible for pro-rated leaves and benefits.

*Civil Service Law* – Chapter 31 of the M.G.L. of the Commonwealth, as amended, and all rules and regulations made thereunder; and any special law enacted by the General Court regulating the classification, compensation and conditions of employment of officers and employees of the Town under Chapter 31.

*Class* – A group of positions in Town service sufficiently similar in respect to duties and responsibilities so that the same descriptive title may be used to designate each position allocated to the class, that the same qualifications shall be required of the incumbents, that the same tests of fitness may be used to choose qualified employees, and that the same scale of compensation can be made to apply with equity.

*Classification Plan* – The classification plan established in Section 9 of this Bylaw and by votes of the Town Meeting in relation thereto, under authority of M.G.L. Chapter 41, Sections 108A and 108C, as amended.

*Compensation Grade* – A range of salary or wage rates appearing on Schedule B of Section 9.

*Compensation Plan* – The plan established by Section 9 of this Bylaw and by votes of the Town Meeting in relation thereto, under authority of M.G.L. Chapter 41, Sections 108A and 108C, as amended.

*Continuous Employment* – Employment, uninterrupted except for required military service and for authorized leave, sick leave, bereavement leave, or other leave of absence.

*Department* – A department, board, committee, commission, or other agency of the Town subject to this Bylaw.

*Department Head* – The officer, board or other body having immediate supervision and control of a department.

*Emergency Employee* – An employee retained on a non-competitive basis in a position in Town service for a period of time not to exceed three calendar weeks, in order to prevent stoppage of public business or hazard or serious inconvenience to the public.

*Employee* – An employee of the Town occupying a position in the classification plan.

*Exempt Employee* – An employee whose position is not regulated by the provisions of the U.S. Fair Labor Standards Act.

*Fiscal Year* – An accounting period of 12 months; July 1 of one year through June 30 of the subsequent year.

*Full-time Employment* – Employment for not less than 35 hours per week for 52 weeks per year, minus legal holidays and authorized vacation leave, sick leave, bereavement leave, and other leave of absence.

*Increment* – The dollar difference between step rates.

*Intermittent Employment* – Employment in a part-time position which is not continuous and which is rendered as required and without regularity. Intermittent employees are ineligible for leaves and benefits.

*Lateral Transfer* – Transfer to a position of the same compensation grade as the original position before transfer.

*Maximum Rate* – The highest rate in a range which an employee normally is entitled to attain.

*Minimum Rate* – The rate in a range which is normally the hiring rate of a new employee.

*Non-exempt Employee* – An employee whose employment is regulated by the provisions of the U.S. Fair Labor Standards Act.

*Overtime* – Time worked in excess of 40 hours a week for non-exempt employees (in accordance with the U.S. Fair Labor Standards Act).

*Part-time Employment* – Appointment to a position in Town service for less than 20 hours per week. Part-time employees are ineligible for leaves and benefits.

*Permanent Position* – Any position in Town service which has required or which is likely to require the services of an incumbent without interruption of a period of more than six calendar months, either on a full-time or part-time employment basis.

*Personal Rate* – A rate above the maximum rate applicable only to a designated employee.

*Position* – A post of employment established in the classification plan with assigned duties and responsibilities.

*Probationary Period* – The first months of employment in any position in Town service, the length of which is determined by job title.

*Promotion* – A change from a position of a lower class and compensation grade to a position with greater responsibilities in a higher class and compensation grade.

*Range* – The dollar difference between minimum and maximum rates.

*Rate* – A sum of money designated as compensation for hourly, weekly, semi-monthly, monthly or annual personal services.

*Reclassification* – A change made to a position title within the classification plan as a result of a change of duties required to be performed by the position.

*Step Rate* – A rate in the range of a compensation grade.

*Temporary/Seasonal Employment* – Employment in a position in Town service which requires or is likely to require service for a period not exceeding six calendar months. Temporary and seasonal employees are ineligible for leaves and benefits.

*Town Administrator* – The administrative officer responsible for the administration and coordination of the Town’s personnel functions, including recruitment, selection and appointment.

### **Section 3. Wage and Personnel Board**

(a) *Composition, Mode of Selection and Qualification*

1. There shall be a Wage and Personnel Board (“the Board”) consisting of three members, who shall not be employees or elected officials of the Town, responsible for the general administration and maintenance of the Personnel Bylaw, and classification and compensation plans. One member shall be appointed by the Moderator, one by the Finance Committee, and one by the Board of Selectmen. Terms of office shall be for three years, or for the unexpired term of a member who has resigned, with appointments to be made as soon as feasible. The three members of the Board shall be initially appointed for terms of one, two and three years, respectively, and upon normal expiration of these terms, their successors shall be appointed by the same appointing authorities for terms of three years. Forthwith, after its appointment and annually, the Board shall meet and organize by electing a chairman and appointing a secretary.
2. A majority of the Board shall constitute a quorum for the transaction of business. A majority vote of the Board shall determine the action which the Board will take in all matters upon which it is authorized or required to act.

(b) *Powers, Duties and Responsibilities*

1. The Board shall be vested with all the powers and duties specified in Section 108C of Chapter 41 of the M.G.L.
2. The Board shall draw up and recommend to the Town a proposal for classification and compensation plans and related provisions for consideration as a Town bylaw.
3. The Board is authorized and directed to compile and publish a Personnel Bylaw to be known as the Town of Kingston Wage and Personnel Bylaw. Corrections are to be made as necessary with amendments subject to authorization as stated herein.
4. The Board shall from time to time review the classification and compensation plans of this and other towns, as well as the personnel policies of this and other towns, as they relate to the general administration and maintenance of the classification and compensation plans. It will recommend at a Town Meeting at least annually any action or amendment deemed necessary to maintain a fair and equitable personnel bylaw, after reviewing same with the Selectmen and with the Finance Committee.
5. The Board shall confer with the Selectmen and/or the Town Administrator upon request, to the end that there may be fairness and equity in pay scales and other conditions of employment for all employees of the Town.

6. The Board may issue, amend or repeal its administrative orders, procedural rules, regulations and policies for the purpose of implementing powers and duties vested in it by this Bylaw. It shall monitor those aspects of this Bylaw vested in the Town Administrator, and/or others, and shall make recommendations to the Town Meeting in respect thereto as said Board deems necessary, proper and prudent to maintain the integrity of the operation and policies of this Bylaw, after reviewing same with the Board of Selectmen and the Finance Committee.

(c) *Staff*

The Board may employ assistants and incur expenses as it deems necessary, subject to the appropriation of funds therefor.

(d) *Reports*

1. The Board shall submit a written report of its activities for inclusion in the Town's Annual Report on or before December 15 of each year.
2. The Board shall, when deemed necessary, in advance of each Town Meeting at which recommendations of the Board are to be considered, prepare a printed report for the information of Town Meeting.

**Section 4.  
Town Administrator**

- (a) The Town Administrator shall be responsible for the administration of this Bylaw, except as to such duties and powers held by the Personnel Board.
- (b) The Town Administrator shall be responsible for the administration of the classification and compensation plans, subject to such rules and regulations relative thereto as the Board may from time to time adopt, amend or repeal.
- (c) The Town Administrator shall exercise direct supervision of the employees of the Selectmen's office and provide general supervision to department heads under the control of the Board of Selectmen. Such department heads shall report to the board through the Town Administrator.
- (d) The Town Administrator shall ensure that the Town maintains an effective personnel system by monitoring the effectiveness of policies, procedures and practices as required by law, in accordance with proper personnel practices.
- (e) The Town Administrator shall ensure that the recruitment, selection, appointment, promotion, transfer, discipline and termination of employees are conducted in accordance with applicable state and federal laws, and with Town bylaws and policies adopted pursuant to the same.
- (f) The Town Administrator shall administer employee benefit programs for Town personnel subject to the Bylaw and other town personnel as may be placed under his/her jurisdiction for these purposes by departments not subject to the Bylaw.
- (g) The Town Administrator shall establish and maintain a centralized personnel record-keeping system as may be required by law and good personnel management practice.
- (h) The Town Administrator shall provide such advice, assistance and information to the Personnel Board as it may require for the discharge of its duties.

- (i) The Town Administrator shall provide advice and assistance to department heads, supervisory personnel, employees, officers, boards, commissions or committees on all aspects of personnel administration.

**Section 5.  
Recruitment, Selection and Appointment**

(a) *Staffing Controls*

1. As soon as a department head receives or gives notice that a position under his/her jurisdiction will be vacant, he/she will, prior to advertising or filling the position, notify the Town Administrator of the expected vacancy. The Town Administrator will notify the Board of the expected vacancy. No action shall be taken to fill the position or to advertise until the Town Administrator reviews the job description and proposed compensation.
2. Except for emergency employees, no employment in, promotion to or transfer to a paid appointive position shall take effect until it has been approved by the Town Administrator, to ensure compliance with the classification plan, compensation plan, and other provisions of this Bylaw.

(b) *Emergency Appointments*

In the case of an emergency declared by a department head having supervision of a department, said department may employ, subject to appropriation, emergency employees without the prior approval of the Town Administrator. An emergency appointment shall not exceed a total of three (3) calendar weeks.

(c) *Medical Examinations*

All persons selected for full-time or benefit-eligible part-time employment, or to any other position as the Town may require, shall undergo a medical examination prior to the starting date of employment. Such examination shall be conducted by a Town-designated physician, and shall be at the expense of the Town. The examining physician shall advise the Town Administrator in writing whether the candidate is capable of performing the essential functions of the position.

(d) *Notice of Vacancies*

Department heads shall, upon the identification of a vacancy or the authorization of a new position, prepare a job vacancy notice. The job vacancy notice shall include the job title, essential functions, qualifications, salary, closing date for applications and application instructions. The Town Administrator shall review all job notices prior to posting, and the content and funding availability of all job advertisements prior to publication, if appropriate. All positions will be publicized in such a manner as to encourage the application of qualified candidates. Methods of advertising may vary depending on the nature and requirements of the position. Job notices of vacant positions must be posted for ten (10) business days on the Town House bulletin board, and elsewhere that may be appropriate.

(e) *Employment above the Minimum Entrance Rate*

Upon recommendation of a department head, supported by evidence in writing of special reasons and exceptional circumstances, the Town Administrator, in conjunction with the Wage and Personnel Board, may recommend to the Board of Selectmen an entrance rate higher than the minimum rate for a position. No variance shall become effective unless, or until, the necessary funds have been appropriated therefor.

(f) *Probationary Period*

All newly hired and promoted employees shall be required to successfully complete a probationary period, the length of which shall be determined by the duties and responsibilities of the position, prior to the conclusion of which their performance will be evaluated by the department head or supervisor on such form as the Town Administrator may require, for appropriate action and inclusion in the central personnel file. The Town Administrator will notify newly hired, or transferring employees of the nature and duration of the probationary period in a formal offer letter, or prior to the candidate accepting the position.

**Section 6.  
Classification**

(a) *Classification Plan*

1. The Board shall formulate and submit to the Annual Town Meeting for its approval a schedule setting forth the classes of positions, by job title, in Town service, which are subject to the provisions of this Bylaw, such schedule to be incorporated in Schedule A of Section 9 of this Bylaw.
2. These classes of positions shall constitute the classification plan for the Town within the meaning of Section 108A of Chapter 41 of the M.G.L., as amended.
3. The title in each class, as established by the classification plan, shall be the official title of every position assigned to the class and the official title of each incumbent of a position so assigned, and shall be used to the exclusion of all others on payroll, budget estimates, and other official records and reports pertaining to the position.
4. No person shall be appointed, employed or paid as an employee in any position in the Classification Plan under any title other than one appearing in Schedule A of Section 9.
5. Any compensation, benefit or authorization not specifically granted to employees and to positions classified under this Bylaw, or under state and/or federal statute or regulation, is prohibited.

(b) *Position Descriptions*

The Board shall approve and the Town Administrator shall maintain written position descriptions and specifications for the classes and positions in the classification plan, each consisting of a title, a statement of the nature of the work and all essential functions, examples of duties and responsibilities and the minimum experience, education and other requirements that are necessary for the satisfactory performance of the duties of the position. Such position description shall be construed solely as a means of identification. It shall not modify, or in any way affect, the power of any appointing authority or department head, as otherwise existing, to appoint, to assign duties to, or to direct and control the work of any employee under its jurisdiction.

(c) *Periodic Reviews*

The Board from time to time of its own motion shall investigate the classification of any or all positions subject to the provisions of this Bylaw. Such reviews shall be made at such intervals as the Board deems necessary and, to the extent which the Board considers practicable, shall include any or all occupational groups in the classification plan.

(d) *New Position Classification*

Whenever a new position is requested, upon presentation of substantiating data satisfactory to the Personnel Board, the Board may vote to recommend the position with its appropriate class and compensation. Said recommendation must be approved at an annual or special town meeting.

(e) *Reclassification*

1. Whenever the duties of an existing position are so changed as to appear to merit a different classification, upon presentation of substantiating data satisfactory to the Personnel Board, or on the Board's initiative, the Board may assign such position to the appropriate class.
2. No position may be reclassified, nor may any class be assigned to a different compensation grade, until the Personnel Board shall have determined such reclassification and compensation grade.
3. A reclassification shall be treated as a promotion for the purpose of future step increases in accordance with Section 7(d) of this Bylaw.

**Section 7.  
Compensation**

(a) *Compensation Plan*

1. The Personnel Board shall, after consultation with the Board of Selectmen and the Finance Committee, prepare annually, and submit to the Annual Town Meeting for its consideration and action, a compensation plan pursuant to Section 108A of Chapter 41 of the M.G.L., as amended. The Compensation Plan shall be administered by the Town Administrator, except as otherwise provided herein.
2. The compensation plan shall consist of Schedules B through C in Section 9 of this Bylaw which provide minimum and maximum salaries or wages for all classes in the classification plan.
3. No appointing authority or department head may change the compensation of any employee from that set forth in the compensation plan.

(b) *Interpretation of Rates of Compensation*

1. All employees shall be paid on the hourly, weekly, semi-monthly, annual or other basis contained in the compensation plan, unless otherwise authorized by the Personnel Board.
2. Salaried employees whose service is less than full-time shall be compensated based on the ratio that such employment bears to full-time employment.

(c) *Step Rates*

A full-time or benefit-eligible part-time employee shall receive the increment between his/her present rate and the next higher step rate as follows:

1. On January first or July first provided he/she has completed twenty-six weeks of service at the minimum or other rate if a rate other than the minimum is authorized as the entrance rate.

2. Thereafter one year from the date of his/her previous increase until he/she attains the maximum rate of the range of compensation to which his/her position in a given grade is eligible. Positions that have supervisory responsibility for 5 or more full-time permanent positions are eligible for one additional step.
3. The adjustments provided for in this section shall be subject to the availability of appropriated funds.

(d) *Promotion*

1. An employee receiving a promotion to a vacant position or to a new position as defined in Section 6 shall, upon assignment resulting from such promotion, receive the rate in the compensation grade of the vacant or new position next above his/her existing rate. If the resulting adjustment does not equal \$100 for a position class assigned to Schedule B, the adjustment shall be to the second rate above the existing rate, but within the compensation grade of the vacant or new position.
2. The employee receiving a promotion or adjustment in rate pursuant to the provisions of the preceding subsection shall receive the next increment of his/her compensation grade effective the next January or July first following completion of twenty-six weeks at the rate resulting from the promotion.

(e) *Lateral Transfer*

An employee who transfers to a position of equal grade shall enter the new position at the same step as his/her prior position and shall retain the same step rate for the purposes of future step increases.

(f) *Personal Rate*

If an employee's rate at the time of the adoption of a new compensation plan is in excess of the maximum rate set forth in the appropriate compensation grade in Schedule B or C of Section 9, his/her rate shall not be reduced. Rather, the employee's rate shall become a personal rate, applicable only to that employee.

(g) *Entrance Rate for New Appointments*

Persons appointed to positions in the classification plan shall be paid at the minimum rate except as may be authorized by the Board and Town Administrator pursuant to Section 5 of this Bylaw.

(h) *Changes to Compensation Schedules*

Requests by appointing authorities, department heads, individuals or groups of individuals for changes to the compensation plan shall be filed with the Board in accordance with Section 8 of this Bylaw.

(i) *Hours of Work*

The work week for a full-time employee in each occupational group covered under this Bylaw shall be as follows:

<u>Group</u>	<u>Work Week</u>
Administrative	35 Hours*
Clerical	35 Hours
Custodial	40 Hours
Library	35 Hours
Recreational	40 Hours
Supervisory	35 Hours*

\* or the number of hours in the week which are needed to perform the duties of the position, as determined by the appointing authority or the employee's supervisor.

(j) *Overtime*

When required by their department head to work beyond their normal work week, non-exempt employees will be paid at their regular rate of pay for time worked up to 40 hours and at time and one-half their regular rate of pay for time worked in excess of 40 hours, in accordance with the U.S. Fair Labor Standards Act.

(k) *Direct Deposit*

Effective January 1, 2012 all employees (except Seasonal employees) shall participate in the Town's automatic direct deposit program for paychecks.

(l) *Bi-weekly Pay*

After all Town unions have agreed to bi-weekly pay, the Town may institute bi-weekly pay during a month with three pay periods after 90-day notice to personnel.

**Section 8.  
Amendment of the Bylaw**

- (a) This Wage and Personnel Bylaw may be amended only by vote of a Town Meeting. Requests for such amendments shall be made to the Board in writing at least one hundred and five days prior to such Town Meeting.
- (b) Whenever such a request is received, the Board shall hold a hearing thereon, with notice to the department head and the requester no later than seven calendar days prior to the hearing.
- (c) The Board may, from time to time on its own initiative, hold a hearing to consider any amendment to the Bylaw.
- (d) Prior to a Town Meeting, the Board shall file in a timely manner with the Finance Committee and with the Selectmen its recommendations as to all proposed amendments. Additionally, the Board shall file with the Selectmen, for insertion in the warrant, an article sufficiently stated to permit the Town to act, provided that the subject matter has been recommended by an affirmative vote of the Board.
- (e) Any proposed amendment to the Wage and Personnel Bylaw cannot be presented at Town Meeting without its having been submitted to the Board within the prescribed time limit. Any request which was submitted to the Board within the prescribed time limit and upon which the Board did not act favorably may be presented by the requester at Town Meeting.

**Section 9.**  
**Classification and Rates of Compensation Schedules**

Positions are part-time except where denoted full-time (FT). Positions are non-exempt except where denoted exempt (E).

**SCHEDULE A**

<i>Title</i>	<i>Group</i>	<i>Rate</i>
Administrative Assistant (FT)	Administrative	S-2
Administrative Assistant – Town Clerk (FT)	Administrative	H-6
Administrative Assistant – Veterans’ Agent	Administrative	Schedule C-1
Alternate Inspector of Buildings	Administrative	Schedule C-2
Animal Control Officer	Administrative	S-3**
Animal Inspector	Administrative	Schedule C-2
Archivist (FT) (E)	Library	S-3
Assistant Animal Control Officer	Public Safety	H-6
Assistant Assessor (FT) (E)	Administrative	S-9
Assistant Harbor Master/Assistant Shellfish Constable	Public Safety	Schedule C-2
Assistant Summer Program Director	Recreational	Schedule C-3
Assistant to the Board of Selectmen and the Town Administrator (FT) (E)	Administrative	S-7
Assistant to the Police Chief (FT)	Administrative	S-4
Assistant Town Treasurer (FT) (E)	Administrative	S-6
Assistant Zoning Enforcement Officer	Administrative	Schedule C-2
Call Fire Captain	Public Safety	Schedule C-1
Call Fire Lieutenant	Public Safety	Schedule C-1
Call Firefighter	Public Safety	Schedule C-1
Casual Part-time Worker	Labor	Schedule C-1
Chief Operator Superintendent (FT) (E)	Supervisory	S-9
Children's Librarian (FT) (E)	Library	S-3
Clerical Assistant (FT)	Clerical	H-6
Clerk – Election	Clerical	Schedule C-1
Clerk – General	Clerical	Schedule C-1
Clerk – Special Town Committees Not Otherwise Specified	Clerical	Schedule C-1
Clerk – Treasurer's Office	Clerical	Schedule C-1
Conservation Agent (FT) (E)	Administrative	S-5
Cook – Council on Aging	Recreational	Schedule C-1
Counselor	Recreational	Schedule C-3
Deputy Fire Chief/Fire Prevention Officer (FT) (E)	Administrative	S-7*
Director of Elder Affairs (FT) (E)	Administrative	S-3
Election Officer	Clerical	Schedule C-1
Executive Secretary	Administrative	Schedule C-2
Executive Secretary – Community Preservation Committee	Administrative	Schedule C-2
Executive Secretary – Finance Committee	Administrative	Schedule C-2
Executive Secretary – Wage and Personnel Board	Administrative	Schedule C-2

Executive Secretary – Zoning Board of Appeals	Administrative	Schedule C-2
Flag Attendant	Recreational	Schedule C-2
Food Inspector	Administrative	Schedule C-2
Groundskeeper	Labor	Schedule C-1
Harbor Master/Shellfish Constable	Administrative	S-6**
Health Agent (FT) (E)	Administrative	S-6
Highway Laborer/Truck Driver	Labor	Schedule C-1
Inspector of Buildings/Zoning Enforcement Officer (FT) (E)	Administrative	S-9*
Lead Counselor	Recreational	Schedule C-3
Library Assistant	Library	Schedule C-1
Library Director (FT) (E)	Supervisory	S-9
Library Page	Library	Schedule C-1
Lifeguard	Recreational	Schedule C-3
Lifeguard/Swimming Instructor	Recreational	Schedule C-3
Matron	Public Safety	Schedule C-1
Moth Superintendent	Supervisory	Schedule C-1
Park Attendant	Recreational	Schedule C-3
Patrolman	Public Safety	Schedule C-1
Pesticide Applicator	Labor	H-3
Recreation Assistant	Administrative	H-6
Recreation Director	Administrative	S-4**
Reference Librarian (FT) (E)	Library	S-3
Registrar – Election	Administrative	Schedule C-2
Reserve Public Safety Dispatcher	Public Safety	Schedule C-1
Secretary – Permanent Part-time Departmental	Clerical	H-5
Senior Clerk – General	Clerical	Schedule C-1
Senior Counselor	Recreational	Schedule C-3
Senior Groundskeeper	Labor	Schedule C-1
Specialty Program Coordinator	Recreational	Schedule C-3
Streetlister/Census Clerk	Clerical	Schedule C-1
Substitute Circulation Assistant	Library	Schedule C-1
Substitute Driver – Council on Aging	Recreational	Schedule C-1
Substitute Librarian	Library	Schedule C-1
Summer Program Director	Recreational	Schedule C-3
Superintendent of Streets, Trees and Parks (FT) (E)	Supervisory	S-10
Supervisor/After School Programs	Recreational	Schedule C-1
Supervisor Assistant/After School Programs	Recreational	Schedule C-1
Town Accountant (FT) (E)	Supervisory	S-10
Town Planner (FT) (E)	Administrative	S-10
Veterans' Agent	Supervisory	Schedule C-2
Warden – Election	Administrative	Schedule C-1
Water Department Office Administrator (FT)	Administrative	S-5
Water Superintendent (FT) (E)	Supervisory	S-9
Waterfront Director/Head Lifeguard	Recreational	Schedule C-3
Young Adult Librarian	Library	S-3**

\* With an additional remuneration of \$4,000.00.

\*\* Part time: pro-rated based on hours worked.

**SCHEDULE B-1  
Hourly Schedule**

<i>Grade</i>	<i>Step 1</i>	<i>Step 2</i>	<i>Step 3</i>	<i>Step 4</i>	<i>Step 5</i>
H-1	10.91	11.53	12.23	12.97	13.76
H-2	11.43	12.13	12.85	13.61	14.42
H-3	12.02	12.71	13.48	14.29	15.16
H-4	12.60	13.37	14.18	15.02	15.92
H-5	13.27	14.05	14.88	15.78	16.73
H-6	13.90	14.73	15.64	16.56	17.56

**SCHEDULE B-2  
Salaried Schedule**

<i>Grade</i>	<i>Step 1</i>	<i>Step 2</i>	<i>Step 3</i>	<i>Step 4</i>	<i>Step 5</i>	<i>Step 6</i>	<i>Step 7</i>	<i>Step 8</i>	<i>Step 9*</i>
S-1	33,979	35,253	36,573	37,944	39,367	40,841	42,375	43,964	45,613
S-2	36,356	37,719	39,133	40,603	42,126	43,708	45,345	47,045	48,808
S-3	38,900	40,359	41,870	43,440	45,072	46,761	48,514	50,334	52,222
S-4	41,621	43,183	44,806	46,485	48,228	50,038	51,911	53,856	55,876
S-5	44,537	46,205	47,939	49,737	51,604	53,537	55,546	57,629	59,789
S-6	47,656	49,442	51,297	53,221	55,216	57,285	59,437	61,663	63,976
S-7	50,990	52,904	54,890	56,949	59,081	61,297	63,596	65,981	68,457
S-8	54,562	56,606	58,730	60,932	63,219	65,589	68,047	70,598	73,248
S-9	58,381	60,569	62,839	65,195	67,641	70,177	72,808	75,538	78,372
S-10	62,467	64,811	67,240	69,762	72,375	75,093	77,907	80,829	83,858
S-11	66,840	69,348	71,948	74,644	77,445	80,349	83,360	86,487	89,730

\* Attainable for only those positions which supervise 5 or more full-time permanent positions.

**SCHEDULE C-1**  
**Hourly Schedule**

Administrative Assistant – Veterans’ Agent	hourly	17.07
Call Fire Captain	hourly	15.42*
Call Fire Lieutenant	hourly	15.42**
Call Firefighter	hourly	15.42***
Casual Part-time Worker	hourly	12.12
Clerk – Election	hourly	12.12
Clerk – General	hourly	9.91
Clerk – Special Town Committees Not Otherwise Specified	hourly	8.99
Clerk – Treasurer's Office	hourly	14.62
Cook – Council on Aging	hourly	12.88
Election Officer	hourly	10.11
Groundskeeper	hourly	8.32
Highway Laborer/Truck Driver	hourly	14.84
Library Assistant	hourly	14.28
Library Page	hourly	11.02
Matron	hourly	18.20
Moth Superintendent	hourly	11.02
Patrolman	hourly	17.37
Reserve Public Safety Dispatcher	hourly	12.12
Senior Clerk – General	hourly	11.54
Senior Groundskeeper	hourly	11.02
Streetlister/Census Clerk	hourly	11.54
Substitute Circulation Assistant	hourly	13.64
Substitute Driver – Council on Aging	hourly	12.47
Substitute Librarian	hourly	20.75
Supervisor/After School Programs	hourly	13.31
Supervisor Assistant/After School Programs	hourly	8.83
Warden – Election	hourly	12.12

- \* Plus \$500.00 per year (first hour of duty paid at \$19.17).
- \*\* Plus \$300.00 per year (first hour of duty paid at \$19.17).
- \*\*\* Plus \$150.00 per year (first hour of duty paid at \$19.17).

**SCHEDULE C-2  
Salaried Schedule**

Alternate Inspector of Buildings	annually	1,260
Animal Inspector	annually	2,409
Assistant Harbor Master/Assistant Shellfish Constable	annually	3,078
Assistant Zoning Enforcement Officer	annually	7,763
Executive Secretary	annually	3,314
Executive Secretary – Community Preservation Committee	annually	3,000
Executive Secretary – Finance Committee	annually	5,000
Executive Secretary – Wage and Personnel Board	annually	5,000
Executive Secretary – Zoning Board of Appeals	annually	5,000
Flag Attendant	per location	230
Food Inspector	annually	5,647
Registrar – Election	annually	813
Veterans' Agent	annually	10,353

**SCHEDULE C-3  
Seasonal Schedule**

Assistant Summer Program Director	hourly	13.08
Counselor	hourly	8.00
Lead Counselor	hourly	10.74
Lifeguard	hourly	11.35
Lifeguard/Swimming Instructor	hourly	11.35
Park Attendant	hourly	10.12
Senior Counselor	hourly	10.32
Specialty Program Coordinator	hourly	11.29
Summer Program Director	hourly	18.20
Waterfront Director/Head Lifeguard	hourly	13.08

**Section 10.  
Paid Holidays**

- (a) The following holidays shall be recognized by the Town on the day on which they are legally observed by the Commonwealth of Massachusetts; and on said days, full-time and benefit-eligible part-time employees shall be excused from all regularly scheduled duty without loss of pay:

New Year's Day	Labor Day
Martin Luther King Day	Columbus Day
Presidents' Day	Veterans Day
Patriots' Day	Thanksgiving Day and the day after Thanksgiving
Memorial Day	One-half Day before Christmas
Independence Day	Christmas Day

- (b) Payment under the provisions of this section shall be made provided the eligible employee shall have worked on his/her last regularly scheduled working day prior to and his/her next regularly scheduled working day following such holiday, or was on full pay status on such preceding and following days in accordance with other provisions of this Bylaw.
- (c) Non-exempt full-time and benefit-eligible part-time employees who are required by the department head or appointing authority to work on a designated holiday shall be paid at time and one-half their regular rate of pay for hours worked on that day.
- (d) Whenever one of the holidays set forth in subsection (a) falls on a Sunday, the following day shall be the legal holiday, and if on a Saturday, the preceding day shall be the legal holiday.

**Section 11.  
Vacation Leave**

- (a) Full-time and benefit-eligible part-time employees shall be granted paid vacation leave, as follows:

<i>Continuous Service of</i>	<i>Vacation Leave</i>
at least 6 months, but less than 1 year	5 days (1 week)
at least 1 year, but less than 2 years	5 days (1 week)
at least 2 years, but less than 5 years	10 days (2 weeks)
at least 5 years, but less than 10 years	15 days (3 weeks)
at least 10 years, but less than 20 years	20 days (4 weeks)
at least 20 years	25 days (5 weeks)

- (b) Vacation allowances are to be taken during the 12 months that immediately follow the employee's anniversary date of employment; however, in unusual circumstances an exception may be granted by the department head with the approval of the Town Administrator.
- (c) Department heads shall schedule vacations so as to cause minimal interference with the performance of the regular work of the Town.
- (d) An employee will be paid vacation allowance in advance, provided that the employee has made such request of the department head at least one week previously.

- (e) Absence because of sickness, personal business, bereavement, or other leave in excess of that authorized under the rules therefor may, with approval of the department head, be charged against vacation leave.
- (f) An employee who is terminated by dismissal through no fault of his/her own, by death or by retirement shall be compensated for that portion of any vacation allowance which has been accrued but has not been taken in the vacation year prior to such termination. In addition, payment shall be made for that portion of the vacation allowance earned during the vacation year that the dismissal, retirement or death occurred, to the time of the employee's separation from the payroll.
- (g) An employee shall not be allowed to work during his/her vacation leave for extra pay without the approval of the Town Administrator, together with the approval of the appointing authority or department head.

**Section 12.  
Sick Leave**

- (a) Full-time employees shall be granted 1.25 sick days for each month worked, and benefit-eligible part-time employees shall be granted a proportionate amount thereof in the ratio that their part-time employment bears to full-time employment, provided that such leave is caused by sickness or injury.
- (b) Full-time and benefit-eligible part-time employees shall be credited with the unused portion of leave granted under subsection (a) without limit which may be accumulated as additional sick leave benefits.
- (c) If the amount of leave credit provided under subsection (b) has been or is about to be exhausted, an employee may make application for advance sick leave to be deducted from future leave credits to the extent provided under subsection (a). Such application shall be made to the Board which is authorized to grant such advance sick leave as it may determine to be equitable after reviewing all circumstances including the employee's attendance and performance record prior to conditions supporting his/her request for the advance sick leave.
- (d) Sick leave must be authorized by the department head and must be reported on forms as provided. These records will be maintained by the Town Treasurer for the Town Administrator's and Town Treasurer's use.
- (e) A physician's certificate may be required by the department head or Town Administrator in ascertaining the validity of a request for sick leave or determining fitness to return to duty.
- (f) Payments under the provisions of this section to an employee who is receiving Workers' Compensation payments shall be limited to the difference between the amount paid in Workers' Compensation and the employee's regular base pay.
- (g) Unused sick leave shall be credited and shall accumulate from year to year without a limit. An employee who leaves the employment of the Town for other than disciplinary action shall be compensated at fifty percent (50%) of his/her rate of pay for all unused accumulated sick leave at termination, providing the employee has a minimum of five (5) years of service, such compensation to be based on base salary only, if the employee has been appointed on or before June 30, 1995. If the employee has been appointed after that date, such compensation would be payable only upon retirement from the Town's employment. In the event of an employee's death, such compensation shall be awarded to his/her estate.

### **Section 13. Other Leave**

(a) *Bereavement Leave*

Bereavement leave without loss of regular straight-time pay for normally scheduled working hours, not to exceed four days per occurrence, as the appointing authority or department head may determine, shall be granted to any employee in the event of a death in the employee's immediate family. One additional day may also be paid if that day is necessary for travel. For the purposes of this subsection, immediate family shall be defined as spouse, parent, child, sibling or parent-in-law.

(b) *Personal Leave*

Three days leave of absence from work at regular straight-time pay for normally scheduled hours shall be granted every fiscal year to full-time employees, provided that such leave be approved by the department head or Town Administrator. Personal leave is not cumulative and must be used during the fiscal year in which it is granted.

(c) *Military Leave*

Military leave of absence shall be granted to employees called under orders for duty with the state or federal armed forces in accordance with all applicable state and federal laws.

(d) *Civic Duty Leave*

All employees shall be granted leave when called for jury duty or under summons to appear as witnesses on behalf of the Commonwealth, city or town of the commonwealth or the federal government. Full-time and benefit-eligible part-time employees will be paid by the Town during the period required for court service the difference between the amount paid them by the court, excluding travel/expense allowance, and the amount of regular straight-time pay which would normally be received from the Town, upon presentation of the check or other proper evidence of monies received from the court.

(e) *Family and Medical Leave*

Eligible employees (one continuous year of employment of at least 1,200 hours) shall be granted family and medical leave in accordance with state and federal law under the following circumstances: for the birth and care of the employee's child; for the placement of a child in the employee's home for adoption or foster care; to care for the employee's seriously ill spouse, child or parent; and/or because of an employee's own serious health condition that prevents him/her from performing his or her job functions.

Employees must provide 30 days advance notice to their department head or supervisor, if possible. If 30 days is not possible, then the employee must at least give notice as soon as possible. Evidence of the birth, adoption, or a doctor's certification of serious illness or injury must be provided within a reasonable time following the request. Family or medical leave may be granted for up to 12 weeks in any rolling 12 month period. Employees returning to work within 12 weeks from the date the leave started will be returned to their former position or an equivalent position. Employees returning from a medical leave must provide a physician's certification of their ability to perform the essential functions of their job without causing harm to themselves or others, depending on the nature of their job.

(f) *Authorized Unpaid Leave of Absence*

At the discretion of the department head, full-time and benefit-eligible part-time employees who have successfully completed the probationary period may be permitted an unpaid leave of absence of up to two weeks duration, upon submission of a written request stating the reason for and length of the absence. Leaves of absence for greater than two weeks duration must be approved by the Town Administrator. Continued employment in Town service may not be guaranteed to an employee after more than thirty (30) days of authorized, unpaid leave of absence.

**Section 14.  
Personnel Appeals**

- (a) The Wage and Personnel Board of the Town shall constitute the Personnel Relations Review Board of the Town, and in that role shall have the powers and duties, and perform the functions assigned to such Personnel Relations Review Board by M.G.L. Chapter 40, Section 21B.
- (b) There shall be a personnel appeal procedure available to those employees of the Town whose rights under the classification plan, have, in their opinion, been prejudiced except those that would properly be heard under the jurisdiction of the Civil Service Commission or other duly established appeal board. For the purposes of this section, personnel appeal shall refer to a dispute between an employee and his/her supervisor arising from an exercise of administrative discretion by the supervisor under the terms of this Bylaw.

**Section 15.  
Miscellaneous Provisions**

- (a) In addition to the benefits described above, employees are eligible for retirement, group health and life insurance, and such other benefit programs as have been or as may be authorized by vote at a Town Meeting. Details are available upon request at the Treasurer's office.
- (b) Part-time employees who work no less than 20 hours per week, 52 weeks per year shall be granted holiday pay, vacation, sickness and other paid leave the same as that of full-time employees, calculated on a pro-rated basis, e.g., if a full-time employee receives two weeks (eighty hours) of vacation, then a part-time employee (twenty hours a week) would receive two weeks of vacation totaling forty hours.
- (c) Absence because of sickness, bereavement or other reason in excess of that authorized under the rules therefor may, with the approval of the department head, be charged against accrued vacation leave.
- (d) Full-time employees shall be reimbursed for expenses related to tuition and books after successfully completing pre-approved and job-related courses at an accredited institution of higher learning. The reimbursement shall be limited to a maximum of two courses for each fiscal year, and only upon receipt of a grade of "C" or better. Employees must receive pre-approval, prior to course registration, from their respective department head and the Town Administrator. Employees will be responsible for submitting evidence of tuition payment and successful course grade to the Town Administrator for reimbursement.

In addition, an employee shall be reimbursed for the cost of any courses that are required as a condition of continued employment, or to attain or maintain any certificates and licenses that are a condition of continued employment.

- (e) Employees who, because of long service with the Town, have accrued benefits beyond those which are provided in this Bylaw, shall not be deprived of such additional accrued benefits.
- (f) Employees who, due to the implementation of the new FY'97 classification and compensation plan, lose anticipated earnings otherwise provided for by FY'96 compensation schedules B-2, B-3 and B-4, shall have their annual salary determined by compensation schedule B-3 adjusted by any annual cost of living increase provided to the other compensation schedules in the Bylaw, until such time as future compensation plans provide either the same or greater annual salary.
- (g) Upon the death of an employee, his estate will be paid the amount, if any, to which the employee would have been entitled but for his death.
- (h) Employees in a full-time position prior to July 1, 1995 will continue to be eligible for a longevity bonus in accordance with the prior Bylaw.
- (i) Employees separated from the Town's employment who subsequently return to employment with the Town may have their earlier period of service recognized, provided they return to employment within one year of the separation date.
- (j) Employees transferring or successfully bidding on a Wage and Personnel position, that come from a non-Wage and Personnel position, shall have their original date of hire with the Town recognized as it pertains to eligibility for any benefits available for Wage and Personnel positions.
- (k) Any question of application or interpretation of provisions of this Bylaw shall be referred to the Board for its clarification and determination.
- (l) Words imparting the singular may extend and be applied to several; words imparting the masculine gender shall include the feminine gender, and vice versa.
- (m) The invalidity of any section of this Bylaw shall not invalidate any other section or provision thereof.
- (n) Nothing in any section of this Bylaw shall be construed to conflict with any section of any chapter of the M.G.L. or with any federal statute or regulation.