

## **TOWN OF MEDWAY PERSONNEL POLICY**

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### **ARTICLE I - PREAMBLE**

**A.** The Board of Selectmen hereby adopts the following Policy for utilization by the Town of Medway in the administration of the personnel activities of the employees of the Town of Medway. These rules and subsequent modifications shall supersede any policy and rules made previously by the Board of Selectmen.

**B.** The Town may delete, amend, modify or change any or all of the provisions contained in this Policy without prior notice. The provisions set forth are not contractual, but rather, are for the general guidance of the Town in its relationship with its employees.

### **ARTICLE II - EMPLOYMENT**

**A.** The employment of all personnel shall be the responsibility of the Board of Selectmen.

**B.** All applicants must submit a written application for employment.

**C.** All employees are considered probationary for the first six (6) months of employment. The probationary period shall be considered an extension of the selection process. Probationary employees may be removed at any time during the probationary period without cause and without right to file a grievance.

### **ARTICLE III - EQUAL OPPORTUNITY EMPLOYER**

The policy of the Town of Medway is to provide equal opportunity to all employees and applicants without regard to religion, age, sex, marital status, race, color, ancestry, national origin, physical or mental handicap, except as a bona fide occupational qualification.

### **ARTICLE IV - TYPES OF APPOINTMENTS**

The following types of appointments may be made to the Town's service in conformity with the rules established:

**A. Full Time.** A full time employee works full time (forty hours per week) and on a continuing basis (indefinite). He/she is subject to all personnel rules and regulations and receives all benefits and rights as provided by these rules.

**B. Regular /part-time.** An employee in this classification works less than the normal workweek, but on a continuing basis (indefinite). He/She is subject to all personnel rules and regulations. Vacation, sick leave and holiday benefits shall be in proportion to the hours worked. This classification shall only be assigned at the discretion of Board of Selectmen. The Board of Selectmen may grant additional benefits.

**C. Temporary Employees.** Temporary employees work on a non-permanent basis, usually within a limited time frame. They are not entitled to benefits such as retirement, health insurance, holiday pay, accrual of sick leave and vacation time, or seniority, and may be terminated for any reason at any time.

## **ARTICLE V - PUBLIC AND EMPLOYEE RELATIONS**

**A.** The employees are prohibited from engaging in any conduct, which could reflect unfavorably upon the Town or disrupt the efficient operation of the administration of the Town. Town employees must avoid any action which might result in or create the impression of using public employment for private gain, giving preferential treatment to any person, or losing complete impartiality in conducting Town business.

**B.** Cooperation of all employees is essential to efficiency. Our taxpayers are entitled to the best service we can give them. Cooperation, courtesy and responsibility are the key elements of good service.

**C.** These policies and regulations are provided to assist the employees and Town administration in functioning at peak efficiency with minimal cost to the taxpayers.

**1. Receipt of gifts.** A town employee is prohibited from soliciting or accepting any gift, gratuity, favor, entertainment, loans, or any other item of monetary value from any person, within or outside Town employment, whose interests may be affected by the employee's performance or nonperformance of his/her official duties.

Acceptance of nominal gifts, such as food and refreshments in the ordinary course of business meetings, or unsolicited advertising or promotional materials such as pens, note pads, calendars, etc., is permitted.

**2. Business Activities and Solicitations.** No employee shall engage in any business other than his/her regular duties during work hours.

**3. Confidentiality.** Many Town employees have access to confidential information pertaining to persons or property in the Town. Employees must not use this privileged information to their private advantage or to provide friends or acquaintances with private advantages. Each employee is charged with the responsibility of releasing only information, which is required under the "right to know" law, 1 M RSA Section 401-410.

#### 4. Expectations, Disciplinary Policy

Expectations: As an employee of the Town, there are some common expectations in the performance of your job which the citizens of Medway have a right to request. Such as; give the Town a fair days work, be honest in handling money, arrive to work on time and stay until the end of the work day, work overtime when requested, work without the influence of liquor or unprescribed drugs, work safely and follow the Town's safety rules and deal courteously with the public.

Corrective Action: When a supervisor believes that corrective action is needed, the nature of the problem and the employees past record shall be considered in selecting the appropriate action, which may include;

- 1) Verbal reprimand and/or counseling
- 2) Written reprimand and/or counseling
- 3) Suspension without pay
- 4) Termination of employment

There are four basic types of disciplinary actions. These are;

- 1) Oral reprimand; An oral reprimand is a discussion between the supervisor and the employee. The oral reprimand will be noted in the employees file.
- 2) Written Warning: A written warning is a formal record or discussion regarding a recurring offense or unsatisfactory behavior.
- 3) Disciplinary Suspension: A disciplinary suspension is a final attempt to correct unsatisfactory behavior. Suspensions without pay will be for not more then 3 scheduled work days. Suspensions must re reviewed and approved by the Board of Selectmen
- 4) Discharge: Discharge for cause is the most serious action to be imposed on an employee whose behavior is either chronically or seriously in opposition to Town rules, regulations, policies and procedures. Prior to discharge, the Administrative Assistant will review the case with the Board of Selectmen. A pre-termination hearing will be held with the Board of Selectmen, the Administrative Assistant, and the employee. The employee shall be allowed to voice their opinion and the Board of Selectmen will let the employee know where the problem lies. The disposition shall be in writing with copies to the employee and to the employee's personnel file.

### **ARTICLE V1-WORK WEEK/OVERTIME**

**A. Work Week.** The regular workweek for payroll purposes begins on Sunday and ends Saturday midnight. The Board of Selectmen shall set the actual hours for Town employees.

**B. Overtime.** Employees not exempt from the Fair Labor Standards Act shall receive overtime pay after forty hours of actual work per week. All overtime shall be paid at the rate of one and one-half times the employee's normal rate of pay. At the discretion of the Board of Selectmen, overtime may be

compensated with compensatory time for hours worked beyond forty hours in a workweek. Such compensatory time shall be granted on a time and one-half basis for hours worked beyond forty hours in a workweek.

**The Administrative Assistant will monitor all overtime. The Administrative Assistant must approve any overtime between the months of May through October prior to working. All departments will follow this guideline.**

## **ARTICLE VII - ATTENDANCE**

Employees shall be at their respective places of work at the appointed starting time. It is the responsibility of employees who may be absent from work to see that their immediate supervisor is advised of the reason for such absence, not previously arranged for, if possible, within two (2) hours of the beginning of the starting time of his/her work day.

## **ARTICLE VIII - HOLIDAY**

**A.** Subject to these rules, the following holidays shall be paid holidays for regular Town employees:

New Year's Day, President's Day, Columbus Day, Memorial Day, Independence Day, Labor Day, Veterans' Day, Thanksgiving Day plus day after Thanksgiving, and Christmas Day

**B.** The above Holidays shall be observed as Regulated by Federal and State Law.

**C.** A person on a leave of absence without pay shall not be entitled to holiday pay.

**D.** Holiday pay is to be considered eight- (8) hours' pay.

**E.** Each employee will be entitled to receive three floating holidays after they have completed their six-month review and have been hired as full time.

**F.** When occasion warrants, employees may be required to work whole or part of a holiday. Employees working a holiday shall receive straight time pay plus their applicable holiday pay. Holiday time will be counted as time worked when calculating overtime.

## **ARTICLE IX - VACATION**

**A.** Vacation privileges are available to full-time employees subject to the following conditions. Each full-time employee shall earn vacation with pay on the following basis:

\* After an employee has completed **12 months of continued employment** , he/she is entitled to receive one week of vacation

\* After an employee has completed **two** years of continuous service, he/she is entitled to receive two weeks of vacation. **\*Any employee hired prior to August 1, 2005 is exempt.**

\* After an employee has completed five years of continuous service, he/she is entitled to receive three weeks of vacation.

\* After an employee has completed ten years of continuous service, he/she is entitled to receive four weeks of vacation.

**B.** Vacations will be scheduled at such time or times as shall be mutually agreeable to the employees and their supervisors. Due consideration will be given to an employee's seniority in regard to scheduling vacations. Vacation leave will ordinarily be taken in blocks of one (1) or two (2) week periods, but vacations for a lesser period may be permitted by the Board of Selectmen for special reasons.

**C.** Employees must take the vacation due them within that year after the vacation time is earned. Employees will not be permitted to carry over vacation time from one year to the next. Vacation time not taken in that year shall be lost. Exception to this may be permitted for special reasons with prior approval of the Board of Selectmen.

**D.** Vacation leave shall accrue from the date of hire as a full-time employee; however, employees shall not receive vacation leave until they have completed their first six months of employment by the Town as a full-time employee.

**E.** Employees may receive their vacation pay prior to the start of their vacation, but must advise the Town Treasurer in writing, at least ten (10) days in advance

## **ARTICLE X - SICK LEAVE**

**A.** Sick leave may be used for personal illness or physical incapacity of such a degree as to render the employee unable to perform the duties of his/her position unless the employee is capable of other work in his/her division and assigned to such other work; or for personal medical or dental appointments; or to care for members of his/her immediate family affected by serious illness.

**B.** Sick leaves accrual for full-time employees shall accrue at the rate of one workday for each full calendar month of service to a maximum of forty-five (45) working days. For the purpose of this section, the first month of an employee's service shall be counted as a full month of service if employment begins on or before the 15th day of the month.

**C.** Full-time employees shall be eligible to use sick leave after thirty (30) days of service with the Town.

**D.** The employee must work thirteen (13) or more full work days in that month to earn sick leave for that month.

**E.** Sick leave shall not be considered as an entitlement, which an employee may use at his/her discretion, but shall be allowed for the necessity arising from actual sickness or disability of the employee. If requested, the employee shall furnish the Town with a certificate from his/her attending physician.

**F.** Absences for a part of a day that are chargeable to sick leave shall be charged proportionately in an amount not smaller than one-half (1/2) day.

**G.** Sick leave usage shall be recorded regularly by the Town Treasurer. The Town shall review all sick leave records periodically and shall investigate any cases, which indicate abuse of the privilege. Abuse of the sick leave privilege shall be cause for discipline. Sick leave shall under no circumstances be bought back.

## **ARTICLE XI - HEALTH INSURANCE**

Full time employees will be entitled to Health Insurance after 90 days of employment. For all new hires, the Town will be responsible for the employee's coverage and will pay an additional amount for family coverage not to exceed three hundred (\$300.00) per month. Any additional charge will be the responsibility of the employee.

## **ARTICLE XII - LEAVES OF ABSENCE**

**A. Bereavement Leave.** An employee may be excused from work for up to three (3) work days because of death in his/her immediate family, as outlined below, and shall be paid his/her regular rate of pay for the scheduled work hours missed. It is intended that this time off be used for the purpose of handling necessary arrangements and attendance at the funeral.

For purposes of this article only, immediate family is defined to mean spouse, parents, children, brothers, sisters, mother-in-law, father-in-law, grandfather, grandmother, and grandchildren.

One (1) workday may be granted to employees at the sole discretion of the Board of Selectmen for attendance at funerals of persons not covered under the above definition.

**A. Leave Without Pay.** A full-time employee may be granted a leave of absence without pay by the Board of Selectmen for a period deemed necessary by the employee for the purpose of the leave, but not in excess of sixty (60) calendar days. The employee is expected to return to work upon the expiration of a granted leave or to have arranged an extension of a leave granted at the discretion of the Board of Selectmen. Continued absence without having arranged for an extension of leave may be deemed a resignation from the service. Employees may choose to continue insurance benefits for the duration of the leave by assuming the employer contribution. Vacation and sick leave will not continue to accrue during the leave.

## **ARTICLE XIII - JURY DUTY**

The Town shall pay to an employee called for jury duty the difference between his/her regular pay and juror's pay provided the employee presents an official statement of jury pay received.

## **ARTICLE XIV-MILITARY LEAVE**

Employees who are members of the organized military reserves and who are required to perform field duty, will be granted Military Leave.

## **ARTICLE XV - GRIEVANCE PROCEDURES**

Should an employee feel aggrieved concerning the interpretation, meaning, or application by the Town of any provisions of the Town's personnel rules, regulations and policies or the terms of employment, within five (5) working days from the incident, he/she shall submit the details of such grievance in writing to the Board of Selectmen.

Within thirty (30) calendar days thereafter, the Board of Selectmen shall meet with the employee for the purpose of discussing the grievance and the Board of Selectmen shall render their final written decision within thirty (30) working days after said meeting.

#### ARTICLE XVI - POLITICAL ACTIVITY

While performing their normal work duties, employees shall refrain from seeking or accepting nomination or election to any office in the Town government, and from using their influence publicly in any way for or against any candidate for elective office in the Town government. This rule is not to be construed to prevent Town employees from becoming, or continuing to be, members of any political organization, from attending political meetings, from expressing their views on political matters, or from voting with complete freedom in any election.

#### ARTICLE XVII - RESIGNATION

All employees resigning from service of the Town shall give a written two-week notice.

#### ARTICLE XVIII - POLICY ON HARASSMENT

It is the policy of the Town that all our employees should be able to work in an environment free from all forms of harassment. Harassment, both sexual and verbal, is prohibited. This policy refers not only to supervisor-subordinate actions but also to actions between co-workers. Any complaints of harassment will be investigated promptly. There will be no intimidation, discrimination or retaliation against any employee who makes a report of harassment.