

**CODE OF THE
TOWN OF LITTLETON,
MASSACHUSETTS, v45**
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Chapter 33, PERSONNEL

**OFFICIALS
OF THE
TOWN OF LITTLETON**
Town Offices

37 Shattuck Street
Littleton, Massachusetts 01460
Telephone: (978) 950-2400

2014

Personnel Board
JOSEPH GAFFNEY
ALEXANDER MCCURDY
ALLEN MCRAE
DON O. SMITH
STEVEN VENUTI
ANITA HARDING
KEITH A. BERGMAN

Town Administrator
KEITH A. BERGMAN

Human Resources Administration
ANN ESSMAN

Town Clerk
DIANE CRORY

Town Attorney
THOMAS HARRINGTON, ESQ.
J. RAYMOND MIYARES, ESQ.

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Town of Littleton Personnel By-Law
Chapter 33
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§ 33-1. AUTHORIZATION/AMENDMENT

Pursuant to the authority contained in Article LXXXIX of the Constitution of the

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

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

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

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

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

THE PERSONNEL BOARD

§33-2. MEMBERSHIP; APPOINTMENTS; TERMS

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

The Personnel Board shall be made of the following: one member of the Board of Selectmen, one member of the Finance Committee; two benefit eligible employees, one of whom shall be a department head, two citizens, one of whom should be a human resources professional; and the Town Administrator.

The Town department head and employee at large shall be nominated by their peers and the Personnel Board shall appoint those nominated for a term of two years so arranged that the term of one shall expire

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each year. All other appointments to the Personnel Board shall be made by the Board of Selectmen for three-year overlapping terms so arranged that the term of at least one member shall expire each year.

§33-3. ORGANIZATIONAL STRUCTURE: MEETINGS

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

§33-4. MEETINGS OF PERSONNEL BOARD AND EMPLOYEES

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

§33-5. PERSONNEL BOARD AUTHORITY

The Personnel Board shall have the authority to review, from time to time or at least annually, the work of all positions subject to the provisions of this By-law. The Personnel Board shall recommend changes in said positions as well as adjustments to salaries as it deems advisable, subject to appropriation of funds. Such reviews shall be made at such intervals, as the Personnel Board deems necessary and, to the extent that the Personnel Board considers practicable, shall include all occupational groups in the Classification Plan.

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

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

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

This chapter shall apply to all Town of Littleton departments and to all positions of all employees in the service of the Town, whether benefit eligible, non-benefit eligible or seasonal, other than the School

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

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

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

The Town agrees that, in all personnel matters, it will continue its policy of not discriminating against any person on any legally recognized basis. See §33-38.

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

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

§33-7. DEFINITIONS

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

- a. Absence -Any time an employee is not at work during a scheduled work period.
- b. Administrative Authority -The elected or appointed official or board having jurisdiction over a function or activity.
- c. Appointing Authority -Any person(s), Board, Committee, Commission, or Trustees who has the right to hire or discharge employees.
- d. Benefit Eligible Employee -Any employee regularly working at least 20 hours per week [see MGL c.32B, §2(d)] whose position is listed on Schedule A or Schedule B of the Classification and Compensation Plan.
- e. Classification Plan- Ranking of all jobs specifications/titles approved by the Personnel Board and appearing as Schedule A to these By-Laws.
- f. Compensation Plan -Specified ranges of pay for each job classification included in the Classification Plan, appearing as Schedule A through D to these By-Laws.
- g. Continuous Service -Length of employment with the Town of Littleton of a full time or benefit eligible part time employee, uninterrupted except for authorized military leave, vacation leave, sick leave, court leave, disability, maternal/paternal leave, or any other authorized leave of absence, if applicable and covered in the terms of this By-Law.

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- h. Department -Any Board, Committee, Commission, Trustees or functional unit (or sub-unit) of the town.
- i. Employee -Any person who is paid by the town for services rendered to the town, excluding elected officials, persons with collective bargaining agreements, individuals with contracts, independent contractors, and persons under the direction of the School Committee.
- j. Exempt Employee- As defined in the federal Fair Labor Standards Act.
- k. Grade -A ranking of the value of various jobs.
- l. Job Classification -A particular job classification within the Classification Plan.
- m. Non-Benefit Eligible Employee -Any employee who works less than 20 hours each week not eligible for benefits under MGL c.32B.
- n. Non-exempt Employee- As defined in the federal Fair Labor Standards Act.
- o. On-Call or Temporary Employee- Any non-benefit eligible employee whose duration of employment with the Town is on an on-call or temporary basis.
- p. Position - Employment in Town service with duties and responsibilities.
- q. Promotion- For the purposes of this bylaw, all positions being filled, including promotions must follow the hiring process stated in §33-9.
- r. Range- The minimum and maximum rates for a particular grade.
- s. Rate - A sum of money designated as compensation for personal services on an hourly, daily, weekly, monthly, annual or other basis.
- t. Seasonal Employee -Any employee whose duration of employment with the Town is of a seasonal or emergency nature, or specified limited amount of time (not to exceed five (5) continuous months).
- u. Step Rate- A rate in a range of a grade.
- v. Town -The Town of Littleton, Massachusetts.
- w. Workforce Development- A strategic approach to ensure that the necessary talent and skills will be available when needed and that essential knowledge and abilities will be maintained.
- x. Work week - The Town of Littleton's work week is Thursday through Wednesday.

§33-7A. WORKFORCE DEVELOPMENT

The Town is committed to providing the highest levels of excellence in the provision of all service. In order to sustain this level of excellence, it is imperative that the department/employee retain the highest levels of performance and adaptability in a changing work environment. The Town should seek to employ and retain motivated and competent employees. The foundation for this effort is the management of the entire workforce through short and long term planning for competencies and skills needed to carry out each Town position. This will be, in part, accomplished through ongoing workforce

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development as a concerted effort to development both existing and future employees from within and outside the organization. Management should, when possible, identify and develop employees with the potential to fill key leadership positions throughout Town government. The Personnel Board and Town Administrator shall serve as a resource for workforce development.

§33-8. CLASSIFICATION PLAN

A. MANDATORY CLASSIFICATION

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

B. EMPLOYEE CATEGORIES

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

- a. Benefit Eligible
- b. Non-Benefit Eligible
- c. Seasonal
- d. On-Call or Temporary

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

§33-9. HIRING AND RE-CLASSIFICATION

The filling of all open benefit eligible and non-benefit eligible positions covered by this By-Law must follow the procedures detailed in the Town's Hiring Policy & Procedures manual including, but not limited to the following:

1. A job description agreed to by both the Appointing Authority and the Personnel Board shall be completed prior to the announcement of the job opening.
2. The hiring grade and step for the job opening shall be in accordance with the Classification and Compensation Plan, or be developed with and agreed to by the Personnel Board prior to the announcement of the job opening.
3. The Appointing Authority, in order to find the most qualified candidates, shall determine if the job opening should be posted (a) internally within the Town, or (b) internally and externally. Internal only openings shall be posted for a minimum of one week and marked as "Internal Town Candidates Only". Internal/External postings must be posted for two weeks and, if appropriate, shall be advertised externally. All postings shall be made on the Town Hall Bulletin Board.

§33-10. JOB DESCRIPTIONS

The Personnel Board shall maintain written descriptions of the jobs or positions in the Classification Plan. These descriptions shall be written by the Appointing Authority and approved by the Personnel Board. The descriptions shall include the grade, definitions describing the essential nature of the work, distinguishing features of the work and such illustrative examples of duties as may be deemed

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appropriate. The Personnel Board may, upon the request of an Appointing Authority or on their own initiative, along with the Appointing Authority's input, amend such job descriptions.

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

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

COMPENSATION/BENEFITS

§33-11. CLASSIFICATION PLAN & COMPENSATION PLAN

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

§33-12. RATE ABOVE MAXIMUM

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

§33-13. STEP INCREASES

Step increases will be awarded on an annual basis on July 1st provided the employee has completed at least one (1) year of satisfactory performance. When an employee reaches the top step of the grade they will no longer be eligible for a step increase.

§33-14. MERIT INCREASES (RESERVED)

§33-15. ANNUAL SALARY SCHEDULE REVIEW & ADJUSTMENT

The Personnel Board will annually consider and vote to adjust the Classification and Compensation Schedule.

§33-16. MOVEMENT AND RE-CLASSIFICATION OF EMPLOYEES

- A. When a current employee is hired to a position with a higher-rated grade, he/she shall enter it at the step which provides an increase in salary. He/she may also receive a one step rate increase at the time if the Appointing Authority recommends that qualifications and performance warrant it, and the Personnel Board approves.
- B. If the employee is transferred to a job at the same grade, he/she shall remain at his/her current step.
- C. If the employee is transferred to a lower grade job, he/she shall enter it at his/her own step or at the maximum step for the job, whichever is lower, provided that the Personnel Board approves. The employee shall have the right of appeal to the Personnel Board and to be heard thereon.

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- D. No employee may be reclassified to a position in another grade either higher or lower until the Personnel Board determines that such a re-classification will be consistent with the provisions of the Classification Plan and this by-law.

§33-17. PAY RATE FOR NEW PERSONNEL

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

§33-18. OVERTIME AND COMPENSATORY TIME

Non-exempt employees begin to accrue overtime after they have worked 40 hours in a work week. Overtime must be pre-approved by the supervisor. The applicable budget must have funds available to cover the overtime pay.

Compensatory time may be utilized, on an exception basis, as an alternative to overtime pay, subject to the following restrictions. If overtime is authorized by the supervisor, the choice to accrue compensatory time in lieu of being paid overtime wages must be stated by the employee. As with overtime wages, compensatory time is earned at one and one half hours for every hour worked. All compensatory hours should be logged on the standard compensatory time sheet and attached to the employee's regular time sheet each pay period. Employees should use accrued compensatory time in a timely matter. The use of accrued compensatory time must be pre-approved by the supervisor. In no case should the compensatory time accrual balance be allowed to exceed 24 hours. Compensatory time cannot be rolled over to the new fiscal year and therefore any accrued time must be paid out as overtime wages prior to June 30th of each year. Any unused compensatory time at time of separation of employment must be paid to the employee in their final paycheck.

Exempt employees are not eligible for compensatory time.

§33-19. DEPARTMENT PAY ADJUSTMENT IN ANNUAL BUDGET

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

§ 33-20. LONGEVITY PAY

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

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**Lump Sum
Years of Service Payment**

- 5-9 years \$700
- 10-14 years \$750
- 15-19 years \$800
- 20+ years \$850

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

§33-21. HOLIDAYS

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

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

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

§33-22. PERSONAL DAYS

Personal days provide a means for employees to secure limited time off when such time is needed for important personal reasons. All benefit eligible employees shall receive three (3) paid personal days on July 1st to use during the fiscal year.

A new employee hired after July 1st shall in that year receive paid personal days as follows:

- Three personal days if hired prior to October 1st;
- Two personal days if hired prior to January 1st;
- One personal day if hired prior to April 1st.

Personal days will be taken in half-day increments and cannot be carried over into the next fiscal year or paid out upon termination.

An employee's request for personal time must be approved by the supervisor prior to use.

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§ 33-23. VACATION LEAVE

- A. The vacation year is from July 1 through June 30 inclusive.
- B. All benefit eligible employees will accrue at a proportional rate of vacation time. For each full calendar month of employment, employees will be credited with vacation pay as outline below:
- (1) After one full month and up to five years of service, the employee will accrue vacation days at a rate of five-sixths ($5/6$) of a day per month, equaling (10) days per year from the date of employment.
- (3) After the 5th year of service and up to 10 years of service, the employee will accrue vacation days at a rate of one and twenty-five hundredths (1.25) days per month, equaling (15) days per year.
- (4) After the 10th year and up to twenty years of service, the employee will accrue vacation days at a rate of one and two-thirds ($1\frac{2}{3}$) days per month, equaling (20) days per year.
- (5) After the twentieth year the employee will accrue vacation days at a rate of two and eighty-three thousands (2.083) days per month, equaling (25) days per year.
- C. In the event of termination for any reason, the employee will be paid for the full amount of vacation pay accrued to the date of termination. If the employee has taken more vacation time than accrued at the time of termination, the time not accrued shall be deducted from the final paycheck.
- D. Vacation shall be taken at the convenience of the department. Every effort will be made to arrange for the employee to have the vacation time desired. However, all operations have to be covered at all times, and the employees with the greatest length of service will have the first choice of time.
- E. All benefit eligible employees who have left the service of the Town voluntarily and who are re-employed, within two (2) years, shall after one (1) year of service receive credit for prior employment service in the calculation of the vacation benefit.
- F. The Town may offer vacation incentives in the recruitment and negotiation with potential new employees. No such incentive shall be greater than 20 days of vacation. Appointing Authority may not offer vacation incentives without prior approval of the Personnel Board. If granted, the employees then fall into the schedule adopted in Section B above.
- G. Employees may carry over any unused vacation time into the next fiscal year. In no case will the unused vacation time allowed to carried into the next fiscal year be more than 5 weeks.

§33-24. PERSONAL LEAVE OF ABSENCE

Personal leave of absence not to exceed 12 weeks may be granted by an Appointing Authority but shall be without compensation. A leave of absence of over 12 weeks 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 12 weeks has been authorized by the Personnel Board in advance. Unless otherwise stated, personnel leave of absences without pay shall be considered inactive employment,

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where time spent on such leave does not count as service (time worked) for purposes of seniority, vacation, sick leave, longevity and other benefits. Those employees on an approved leave of absence who are removed from payroll are responsible for remitting their portion of the payment due for health and other insurance premiums to the Treasurer's office within the requested time frame.

§33-25. SICK LEAVE POLICY

1. **SICK LEAVE** - Sick leave is available to benefit eligible employees, limited to absences caused by illness, injury, exposure to contagious disease, illness of a member of an employee's immediate family as defined by FMLA guidelines or illness or disability arising out of or caused by pregnancy or childbirth.
 - A. **Annual Benefit** - Subject to limitations in the personnel policies, all benefit eligible non-union employees shall be awarded fifteen (15) days of sick leave on July 1st of each fiscal year based on the number of hours scheduled in a normal workweek as of July 1st of each year. Part-time employees would receive a pro-rated number of hours based on their normal work week. For example, a full-time forty (40) hour per week employee would be awarded 120 sick hours at the beginning of the fiscal year. A 35 hour per week employee would be awarded 105 sick hours (15 days x 7 hours per day). New employees, upon completion of thirty (30) days of continuous service for the Town, shall be awarded a pro-rated amount based on an accrual of 1.25 days per month rounded to ½ day increments for the remainder of the fiscal year (i.e. a full-time employee completing their 30 day period on November 15th would be awarded 9.5 sick days – 7.5 months x 1.25 days = 9.375 days rounded to 9.5 days x 8 hours per day = 76 sick hours). Part-time employees would receive a pro-rated number of hours based on their normal work week.
 - B. Employees shall be entitled to sick leave without loss of pay if the employee has notified their supervisor, or designee, of the absence and cause thereof within one hour of the start of the workday, or as soon thereafter as practicable. Sick leave may be taken in hourly increments.
 - C. **Extended Absences** - The Town may require employees absent from work due to illness or injury for 3 or more consecutive working days, to provide medical documentation concerning the nature, severity, and duration of the illness or injury. The Town may require an employee who seeks to return to work after being absent, whether paid or unpaid, for five (5) consecutive work days or more, to be examined by a Town selected physician to determine the employee's fitness for work. If the Town requires a medical certificate from a Town selected physician, the Town will pay the cost of the physician's services in examining the employee.
 - D. If an employee has been warned of sick leave abuse, the Town, in its exclusive discretion, may require medical documentation from an employee's physician or a written certificate from a Town selected physician establishing incapacity, illness or injury as a condition of payment of sick leave benefits. The Town may initiate disciplinary action for employees engaged in sick leave abuse. If an employee uses sick leave for purposes other than legitimate illness or injury the employee may, at the Town's discretion, be subject to

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discipline up to and including discharge.

- E. Sick leave may not be carried into the next fiscal year and no payment will be made for unused sick time upon termination of the employee for any reason. However at the end of the fiscal year, unused sick leave may be used to establish or replenish a Short Term Disability leave bank. For the period from January 1, 2013 through June 30, 2013, any employee who uses two (2) or fewer sick leave days during this period shall be awarded, in exchange for one of the unused sick leave days, one additional Personal Day for use in the fiscal year beginning on July 1, 2013. In successive years, employees using four (4) or fewer sick leave days in the preceding fiscal year shall be awarded, in return for two (2) of the unused sick leave days, two (2) additional personal days as of July 1 of the new fiscal year, for use in that year.
2. **SHORT TERM DISABILITY** - Short Term Disability benefits are available to eligible employees once they have completed six months of service or the end of their probationary period, whichever is greater.
- A. **Coverage Period** - Employees who experience a personal illness or injury that causes a continuous and uninterrupted absence up to 26 weeks will be considered for short term disability (STD) benefits upon the 31st calendar day of uninterrupted absence. Employees that qualify for short-term disability benefits will be compensated beginning on the 31st calendar day of absence, at 60% of weekly base pay, not to exceed \$1,000. The employee may augment their disability payment up to 100% of their normal weekly wage by using the following; accrued sick days, personal days accrued vacation days, and their Short-Term Disability Bank (any order).
 - B. **Qualifications** - An employee will qualify for short-term disability benefits upon meeting the eligibility requirements specified in the STD benefits document. The Town may engage a third-party administrator whose decisions regarding the availability or applicability of this benefit to a given individual or in a given situation shall not be subject to appeal by employees. In the event the Town does not have a third-party administrator, the Board of Selectmen will establish any benefit requirements. This benefit may also be modified or eliminated by the Board of Selectmen.
 - C. **While on disability**, an employee will be required to report to Human Resources at least once per week to provide a status update as to their condition and approximate date of return to work. During a period of disability, the employee will not continue to accrue sick or vacation time but will continue to participate in other benefits on the same basis as active employees. Employees shall not hold any type of employment during short term disability. Disability benefits may be offset by payments from retirement, social security, worker's compensation, or other disability coverage (federal, state or county).
 - D. **The STD bank** may be established and replenished with unused sick time as stated in the sick leave policy, however at no time will the STD bank be allowed to exceed 40 days. No payment will be made for unused STD bank time upon termination of the employee for any reason.

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- E. Short Term Disability Bank - Employees hired prior to the effective date of this section (STM 11-14-2012) will be provided with a one- time credit of 40 days in a personal Short Term Disability Bank. The STD Bank may be used during the 30 day waiting period to augment wages, only when all current fiscal year accrued sick days, personal days and vacation days have been exhausted. The use of these STD days is only allowed in the event of a qualified STD leave.
3. LONG TERM DISABILITY -Benefit eligible employees are eligible for long term disability benefits after completing one year of employment or the end of their probationary period, whichever is greater.
- A. Coverage Period - Employees who experience a personal illness or injury that causes a continuous and uninterrupted absence beyond 180 days will be considered for long term disability. This benefit can provide up to 60% of weekly base wage, not to exceed \$5,000 per month. While on disability, an employee will be required to report to their supervisor at least once per week to provide a status update as to their condition and approximate date of return to work. During a period of disability, the employee will not continue to accrue sick or vacation time but will continue to participate in other benefits on the same basis as active employees. Seniority will freeze at current step while out on long term disability leave.
Disability benefits may be offset by payments from retirement, social security, worker's compensation, or other disability coverage (federal, state or county).
 - B. Qualifications - An employee will qualify for long-term disability benefits upon meeting the eligibility requirements of the LTD provider who will be solely responsible for any disability determination or decision. In the event the Town does not have a long-term disability insurance policy in force, the Board of Selectmen will establish any benefit requirements.

§ 33-26. FAMILY AND MEDICAL LEAVE ACT

The Town is committed to complying with the Family and Medical Leave Act (FMLA), as the same may be amended from time to time. Our 'Year' for purposes of leave requests is a 12-month period measured forward from the first FMLA usage. The Town requires the use of accrued, available paid leave concurrently with FMLA leave.

§ 33-27. MILITARY LEAVE

A benefit eligible employee who has been granted a military leave of absence because the employee is a member of the Army National Guard, the Air National Guard or a reserve component of the Armed Forces of the United States called to active service in the armed forces of the United States shall be entitled to receive pay at his regular base salary as such an employee, and shall not lose any seniority or any accrued vacation leave, sick leave, personal leave, compensation time or earned overtime. An employee eligible under this section shall be paid his regular base salary as such an employee for each pay period of such military leave of absence, reduced by any amount received from the United States as pay or allowance for military service performed during the same pay period, excluding overtime pay,

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shift differential pay, hazardous duty pay or any other additional compensation. For the purposes of this section, the words "active service" shall not include active duty for training or temporary duty in the Army National Guard or Air National Guard or as a reservist in the Armed Forces of the United States.

§33-28. BEREAVEMENT LEAVE

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

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

§ 33-29. JURY DUTY

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

INSURANCE

§ 33-30. INSURANCE BENEFITS

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

HEALTH INSURANCE

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

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

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

RETIRED EMPLOYEES

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

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

BASIC LIFE INSURANCE

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

OPTIONAL BENEFITS

Employees may select additional benefits as offered by the Town. The costs of these benefits will be paid entirely by the employee.

§ 33-31. HIPAA

As stated in Federal Law.

§ 33-32. PERFORMANCE EVALUATIONS

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

§ 33-33. DISCIPLINARY ACTION

A. DISCIPLINARY PROCEDURE

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

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

- Incompetence or inefficiency in performing assigned duties
- Refusal to perform a reasonable amount of work or violation or any reasonable official order or failure to carry out any lawful and reasonable directions made by a proper supervisor
- Habitual tardiness or absence from duty
- Violation of safety rules, practices and policies
- Engaging in sexual or other harassment
- Insubordination

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- Fighting on the job – Physical or verbal abuse
- Theft of Town or another employee's property
- Falsification of time records
- Use of illegal substance or alcohol on the job
- Intentional disclosure of confidential information
- Misuse or unauthorized use of Town property
- Fraud in securing an appointment
- Conviction of a felony
- Violation of safety rules, practices, policies (after appropriate training)
- Unauthorized absences during work hours
- Falsification of Town records

§ 33-34. COMPLAINT RESOLUTION

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

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

§ 33-35. REDUCTION IN FORCE (RIF)

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

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

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

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- A. An employee who has been laid off shall be entitled to recall rights to this same position for a period of two (2) years from the effective date of his/her layoff.
- B. An employee recalled within one year of his/he day of lay off will return with service accrued up to the time of the lay off.
- C. Recall notices shall be sent via certified or registered mail. Employees are required to keep the Town informed of their current mailing addresses.
- D. 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.

§ 33-36. WORKING FROM HOME

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

§ 33-37. TECHNOLOGY USAGE

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

§33-38. DISCRIMINATION AND SEXUAL HARASSMENT

As stated in Federal, and State Law and in accordance with the Town's Equal Employment Opportunity, Discrimination, and Sexual Harassment Policy.

§33-39. SEVERABILITY

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

§33-40. DRUG FREE WORKPLACE

As stated by Town's current policy.

§33-41. WORKERS COMPENSATION

Employees incurring work related injuries may receive payments under the Town's Worker's Compensation Insurance policy. Payments are made in accordance with State and Federal Workers Compensation laws and can be augmented to 100% of the employee's normal weekly wage with the use of sick leave, vacation, and STD leave bank days.

Prior to returning to work, after a work related injury, employees will be required to present a fitness-for-duty certificate addressing their ability to perform the essential functions of the position.

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TOWN OF LITTLETON, MASSACHUSETTS FY 2013 CLASSIFICATION & COMPENSATION PLAN

SCHEDULE A, Permanent Full and Part-time Employees

GRADE		STEP 1	STEP 2	STEP 3	STEP 4	STEP 5	STEP 6	STEP 7	STEP 8
Employees									
1	<i>hourly</i>	\$13.50	\$13.97	\$14.46	\$14.97	\$15.49	\$16.03	\$16.59	\$17.17
	<i>annual</i>	\$28,188.00	\$29,169.36	\$30,192.48	\$31,257.36	\$32,343.12	\$33,470.64	\$34,639.92	\$35,850.96
2	<i>hourly</i>	14.45	14.96	15.48	16.02	16.58	17.16	17.76	18.38
	<i>annual</i>	30,171.60	31,236.48	32,322.24	33,449.76	34,619.04	35,830.08	37,082.88	38,377.44
3	<i>hourly</i>	15.46	16.00	16.56	17.14	17.74	18.36	19.00	19.67
	<i>annual</i>	32,280.48	33,408.00	34,577.28	35,788.32	37,041.12	38,335.68	39,672.00	41,070.96
4	<i>hourly</i>	16.54	17.12	17.72	18.34	18.98	19.64	20.33	21.04
	<i>annual</i>	34,535.52	35,746.56	36,999.36	38,293.92	39,630.24	41,008.32	42,449.04	43,931.52
5	<i>hourly</i>	17.70	18.32	18.96	19.62	20.31	21.02	21.76	22.52
	<i>annual</i>	36,957.60	38,252.16	39,588.48	40,966.56	42,407.28	43,889.76	45,434.88	47,021.76
GRADE		STEP 1	STEP 2	STEP 3	STEP 4	STEP 5	STEP 6	STEP 7	STEP 8
6	<i>hourly</i>	18.94	19.60	20.29	21.00	21.74	22.50	23.29	24.11
	<i>annual</i>	39,546.72	40,924.80	42,365.52	43,848.00	45,393.12	46,980.00	48,629.52	50,341.68
7	<i>hourly</i>	20.27	20.98	21.71	22.47	23.26	24.07	24.91	25.78
	<i>annual</i>	42,323.76	43,806.24	45,330.48	46,917.36	48,566.88	50,258.16	52,012.08	53,828.64
8	<i>hourly</i>	21.69	22.45	23.24	24.05	24.89	25.76	26.66	27.59
	<i>annual</i>	45,288.72	46,875.60	48,525.12	50,216.40	51,970.32	53,786.88	55,666.08	57,607.92
9	<i>hourly</i>	23.32	24.14	24.98	25.85	26.75	27.69	28.66	29.66
	<i>annual</i>	48,692.16	50,404.32	52,158.24	53,974.80	55,854.00	57,816.72	59,842.08	61,930.08
10	<i>hourly</i>	25.65	26.55	27.48	28.44	29.44	30.47	31.54	32.64
	<i>annual</i>	53,557.20	55,436.40	57,378.24	59,382.72	61,470.72	63,621.36	65,855.52	68,152.32
11	<i>hourly</i>	28.73	29.74	30.78	31.86	32.98	34.13	35.32	36.56
	<i>annual</i>	59,988.24	62,097.12	64,268.64	66,523.68	68,862.24	71,263.44	73,748.16	76,337.28
Senior Management									
12	<i>hourly</i>	33.90	35.09	36.32	37.59	38.91	40.27	41.68	43.14
	<i>annual</i>	70,783.20	73,267.92	75,836.16	78,487.92	81,244.08	84,083.76	87,027.84	90,076.32
13	<i>hourly</i>	40.00	41.40	42.85	44.35	45.90	47.51	49.17	50.89
	<i>annual</i>	83,520.00	86,443.20	89,470.80	92,602.80	95,839.20	99,200.88	102,666.96	106,258.32
14	<i>hourly</i>	44.80	46.37	47.99	49.67	51.41	53.21	55.07	57.00
	<i>annual</i>	93,542.40	96,820.56	100,203.12	103,710.96	107,344.08	111,102.48	114,986.16	119,016.00
15	<i>hourly</i>	50.18	51.94	53.76	55.64	57.59	59.61	61.70	63.86
	<i>annual</i>	104,775.84	108,450.72	112,250.88	116,176.32	120,247.92	124,465.68	128,829.60	133,339.68

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GRADE 1

No positions assigned

GRADE 2

Cemetery Laborer

GRADE 3

Library Assistant

GRADE 4

Building Maintenance Custodian

Department Clerk

Driver's Education Instructor I

Financial Technician

GRADE 5

Assessing Clerk

Cemetery Groundskeeper

Driver's Education Instructor II

Library Technician

P/T Communications Officer

LCTV – P/T Program Coordinator

GRADE 6

Administrative Assistant – Building

Administrative Assistant – Conservation

Administrative Assistant – Fire

Administrative Assistant – Highway

Administrative Assistant– Human Resources

Administrative Clerk – Collector / Clerk

Senior Library Technician

Special Programs Instructor

Program Specialist I

GRADE 7

Business Administrator – Highway

Executive Assistant to the Police Chief

Payroll and Finance Coordinator

Reserve Police Officer

Library Office Coordinator

Wellness Coordinator

GRADE 8

Assistant Town Clerk

Program Specialist II

GRADE 9

Assistant Assessor

Assistant Director-PRCE

Assistant Town Accountant

Building Maintenance Supervisor

Cemetery Superintendent

[Amended 5-2-11 STM, Art. 12; 11-14-2012, STM Art. 3; 5-5-2014 ATM Art. 24]

Conservation Coordinator

Driver's Education Program Coordinator

Elder and Human Services Outreach Coordinator
and Respite Care

Executive Assistant to the Town Administrator

Senior Librarian

Head of Circulation and Interlibrary Loan/Senior
Librarian

Technical Services/Senior Librarian

Children's Services/Senior Librarian

Young Adult Services/Reference Services/ Senior
Librarian

GRADE 10

Inspector of Wires

Plumbing Inspector

GRADE 11

Assistant Treasurer and HR Administration

Director of Elder and Human Services

Littleton Cable Television Executive Director

Planning Administrator/Permit Coordinator

Tax Collector

*Town Clerk***

GRADE 12

Building Commissioner/Zoning Enforcement
Officer

Chief Assessor/Appraiser

Director of PRCE

Highway Operations Manager and Superintendent

Information Systems Manager

Town Treasurer

*Deputy Police Chief**

*Library Director**

GRADE 13

*Assistant Town Administrator for Finance &
Budget**

*Fire Chief**

GRADE 14

*Chief of Police**

GRADE 15

*Town Administrator**

Management contract () and elected (**)
positions not subject to this By-law*

TOWN OF LITTLETON, MASSACHUSETTS

SCHEDULE B:

On-Call Meeting Clerk \$11.65 per hour

SCHEDULE B1 – Other Employees

GRADE	STEP 1	STEP 2	STEP 3	STEP 4	STEP 5
1 hourly	\$11.08	\$11.30	\$11.53	\$11.76	\$12.00
2 hourly	\$13.86	\$14.14	\$14.42	\$14.71	\$15.00

Grade 1

COA Dispatcher

[Added 11-14-2012, STM Art. 3]

Grade 2

COA Van Driver

SCHEDULE B2 – Temporary /Seasonal Employees

GRADE	STEP 1	STEP 2	STEP 3	STEP 4
1 hourly	\$13.50	\$13.77	\$14.05	\$14.33
2 hourly	\$14.45	\$14.74	\$15.03	\$15.33
3 hourly	\$15.46	\$15.77	\$16.09	\$16.41
4 hourly	\$16.54	\$16.87	\$17.21	\$17.55

Grade 1

No positions assigned

Grade 2

Seasonal Highway Laborer

Grade 3

No positions assigned

Grade 4

Seasonal Truck Driver/Laborer

Step increases on Schedule B-2 will be awarded on the basis of performance as determined by the Department Head.

[Added 11-14-2012, STM Art. 3]

SCHEDULE C: Temporary/Seasonal Park & Recreation Department positions, 2012 Season

GRADE	STEP 1	STEP 2	STEP 3	STEP 4	STEP 5
1 hourly	\$8.50	\$8.67	\$8.93	\$9.20	\$9.47
2 hourly	\$8.80	\$8.98	\$9.25	\$9.52	\$9.81
3 hourly	\$9.40	\$9.59	\$9.88	\$10.17	\$10.48
4 hourly	\$9.75	\$9.95	\$10.24	\$10.55	\$10.87
5 hourly	\$10.30	\$10.51	\$10.82	\$11.15	\$11.48
6 hourly	\$11.50	\$11.73	\$12.08	\$12.44	\$12.82
7 hourly	\$12.40	\$12.65	\$13.03	\$13.42	\$13.82
8 hourly	\$13.40	\$13.67	\$14.08	\$14.50	\$14.94
9 hourly	\$15.50	\$15.81	\$16.28	\$16.77	\$17.28
10 hourly	\$18.50	\$18.87	\$19.44	\$20.02	\$20.62

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GRADE 1

Program Aide I

GRADE 2

Camp Junior Counselor

Snack Hut Attendee

Program Aide II

GRADE 3

Lifeguard I

Junior Sailing Instructor

Maintenance Technician

GRADE 4

Snack Hut Manager

Camp Senior Counselor

Intern

GRADE 5

Lifeguard II/WSI

Sailing Instructor

Junior Guard Coordinator

Aftercare Coordinator

GRADE 6

Camp Lead Counselor

Summer Program Coordinator

GRADE 7

Camp Specialists

Head Lifeguard

GRADE 8

Seasonal Programs Instructor

Camp Assistant Director

Sailing Coordinator

GRADE 9

Special Course Coordinator

GRADE 10

Preschool Instructor

Camp Director

[Amended 5-7-2012 ATM, Art. 14]

SCHEDULE C-1: Community Education- Temporary Employees FY2013

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

GRADE 1

Community Education Teacher's Aide

GRADE 2

Community Education Assistant

GRADE 3

Community Education Instructor 1

GRADE 4

Community Education Instructor 2

GRADE 5

Community Education Instructor 3

GRADE 6

Community Education Instructor 4

[Added 5-3-2010, ATM Art. 12, amended 5-7-2012 ATM, Art.14]

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SCHEDULE D: Fire Department On-Call

GRADE	STEP 1	STEP 2	STEP 3	STEP 4	STEP 5	STEP 6
1 hourly	\$10.00					
2 hourly	\$14.00	\$14.28	\$14.57	\$14.86	\$15.16	\$15.46
3 hourly	\$14.56	\$14.85	\$15.15	\$15.45	\$15.76	\$16.08
4 hourly	\$15.14	\$15.44	\$15.75	\$16.07	\$16.39	\$16.72
5 hourly	\$15.59	\$15.90	\$16.22	\$16.54	\$16.87	\$17.21
6 hourly	\$16.06	\$16.38	\$16.71	\$17.04	\$17.38	\$17.73
7 hourly	\$16.54	\$16.87	\$17.21	\$17.55	\$17.90	\$18.26
8 hourly	\$17.04	\$17.38	\$17.73	\$18.08	\$18.44	\$18.81
9 hourly	\$17.55	\$17.90	\$18.26	\$18.63	\$19.00	\$19.38
10 hourly	\$18.08	\$18.44	\$18.81	\$19.19	\$19.57	\$19.96

On-Call Stipend \$4.00/hour

Grade 1

Probationary Firefighter or EMT

Grade 2

No positions assigned

Grade 3

On-Call Firefighter

On-Call EMT

Grade 4

Firefighter/EMT

Grade 5

No positions assigned

Grade 6

No positions assigned

Grade 7

Firefighter/EMT (Firefighter I/II or advanced EMT certification)

Grade 8

Lieutenant

Grade 9

Captain

Grade 10

Deputy Chief

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

[Added 5-2-2011, ATM Art. 12; Amended 11-14-2012, STM Art. 3]