

**TOWN
OF
WARWICK
MASSACHUSETTS**

Personnel Policies
&
Procedures

Adopted December 4, 2000
Revised October 23, 2006

Personnel Policies & Procedures

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Personnel Policy and Procedures

I. Title

The provisions of this regulation shall be entitled the “Personnel Policies and Procedures, Town of Warwick, Massachusetts.” This regulation may be referred to as the “Policy” for the purposes of these policies and procedures.

II. Effective Date For Application of Policy

This Policy shall take effect upon adoption by the Warwick Selectboard and a public hearing and shall repeal all previous policies and procedures.

III. Scope of the policy.

This Policy solely shall apply to all paid employees of the Town of Warwick, except those in offices filled by popular election. Each board, commission, committee, town official or other town authority having any town employee under its direction shall, for the purposes of this regulation, be referred to as a Department Head, and shall have its jurisdiction fixed in accordance with, and only in accordance with the job classifications set forth in this Policy.

IV. Definitions

As used in this Policy, the following words and phrases shall have the following meanings unless a different meaning is clearly required by the laws of the Commonwealth:

Base wage or pay —The minimum wage or pay for a specific job classification.

Board _Refers to the Selectboard or other appointing authority for the Town of Warwick, Massachusetts.

Civil Service Law _Chapter 31 of the General Laws of the Commonwealth, as amended and all rules and regulations made there under; and any special law enacted by the General Court regulating the classifications, compensation and conditions of employment of Officers and employees of the Town under Chapter 31.

Compensatory Time _Compensatory time may be given in lieu of overtime when deemed necessary, and shall not accumulate in excess of sixty (60) hours without prior approval of the Department Head or the Board of Selectmen. Compensatory time must be used within one (1) calendar year of the date it is granted. Only time actually worked is counted in the computation of overtime (i.e. sick time, vacation, etc., are excluded). Compensatory time will be provided in conformance with FLSA.

Continuous Employment –Employment uninterrupted except for required military service and for authorized vacation, sick leave, bereavement leave, court leave, or other leave of absence. Continuous employment shall be in conformance with FLSA and PERAC

Department –Any department, board, committee, commission, or other agency of the Town subject to this Policy.

Department Head –The officer, board or any other body having immediate supervision and control of a department; in the instance of a department serving under the supervision and control of the Selectboard, appointing authority, the officer, the board, or any other body responsible to the Selectboard for the administration of the department.

Emergency Employment Employment made for not more than one week without the prior approval of the Selectboard; this employment is to cover any unforeseen emergency. The Department Head hiring such employee shall notify the Selectboard of his/her action as soon as possible.

Emergency Employee –An employee retained on emergency employment to serve for a period not exceeding one week unless an extension is granted by the Selectboard.

FLSA Fair Labor Standards Act.

FMLA Family Medical Leave Act

Full Time Employee –An Employee retained on full-time employment on record or appointed by the Selectboard.

Full-time Employment –Employment for not less than eight (8) hours per day for five days or forty (40) hours a week for fifty two (52) weeks per year, minus legal holidays, authorized military leave, bereavement leave, vacation leave, court leave, sick leave and leave of absence, beginning at such time with the recording of the appointment in the Selectboard's minutes.

Grievance A dispute between an employee and his/her supervisor arising out of an exercise of administration discretion by such supervisor.

MMLA Massachusetts Maternity Leave Act

Overtime Time in excess of the normal work week of forty (40) hours during periods of normal highway maintenance. During snow removal, over time begins after eight (8) working hours per day and as in FLSA.

Part-time employee Employee retained to work less than an eight (8) hour day, five day a week period.

Part-time Employment –Employee retained on a continuing basis in a permanent position as defined herein.

PERAC Public Employee Retirement Administration Commission

Performance Evaluation –Written review of an employee’s job performance as outlined in job description.

Permanent Employee An employee retained by the Town of Warwick to work on a full-time basis on a continuing basis in a permanent position

Permanent Full-time Employee An employee who has been retained by the Town of Warwick to work on a full-time basis in a permanent position.

Permanent Position Any position in the Town which has required or which is likely to require the services of an incumbent without interruption for a period of more than six (6) calendar months either on a full-time or part-time basis.

Personnel Board Appointed by the the Warwick Selectboard, the Personnel Board is responsible for all personnel decisions regarding Town employees, unless designated otherwise in this Policy.

Personnel Record The file which contains all pertinent information about a Town employee including job evaluations, medical exam form, and any disciplinary action taken against an employee. The Personnel Board is responsible for keeping and maintaining the personnel file.

Review Period The first six months of employment for permanent employees, ending after a successful performance evaluation by the supervisor and approval by the Selectboard.

Temporary Employee An employee retained in a temporary position as defined herein.

Temporary Position Any position in the Town which is not permanent, but which requires or is likely to require the services of a person for a period not exceeding six (6) months.

Town Refers to the Town of Warwick, Massachusetts.

Town Meeting Refers to the Town’s legislative body as defined by M.G.L., Chapter 39, s.9 et seq.

Work Week The normal work week is from Thursday to Wednesday.

V. Role of the Selectboard.

- a. It shall be the responsibility of the Selectboard to administer this Policy consistent with their duties and responsibilities as defined by the Massachusetts Constitution, Massachusetts General Laws and Bylaws of the Town of Warwick.
- b. The Selectboard will from time to time review this Policy and propose such amendments as they believe appropriate.
- c. The Selectboard may add new job titles and positions to this Policy and reclassify existing jobs. Any creation of salaried positions or increases in the salaries or wages of existing positions under this section shall be effective only if funds are available for the purpose.
- d. Recommendations for changes in wage and salary rates and classifications for the following fiscal year shall be made in writing to the Selectboard not later than the last date for the submission of budgets for that year.

VI Employment Practices

A. Hiring Subject to the provisions of this Policy, if a vacancy occurs, or a new position is established, the Department Head shall, subject to the approval of the Selectboard, advertise the opening. All open positions, part-time and full-time, for employment in the Town, shall not be filled until they have been posted for seven days on the public bulletin board at the Town Hall, except those positions filled on an emergency basis. In addition, the position shall be advertised locally. Applications shall be received by the Selectboard, logged in, etc. Copies to be sent to the Department Head for interviews. The Department Head shall choose the applicant best suited for the advertised position. The choice of the Department Head or Board shall be subject to the review of the Selectboard.

B. Prior to being hired, a prospective employee will be given a job description by the person or Board doing the hiring. The prospective employee will also be told what type of employee he/she is; ie. part-time, full-time etc.

C. Physical Examination, Medical Exam and Pre-Employment Drug Testing Prior to final appointment every new employee may be required to undergo a physical exam, and submit a report from the attending physician. The Selectboard may consider that report in acting on the appointment. Highway Department employees with a

Commercial Drivers License will be required to undergo pre employment and random drug testing

D. Review — The first six (6) months of an employee's continuous service shall constitute his/her review period. During this period, said employee may be terminated with or without cause with one week's written notice by the Department Head, subject to any review the Selectboard may believe to be appropriate. The termination of any employee by the procedure described in this paragraph shall not infringe on said employee's constitutional and statutory rights. At the end of the six months probationary period the Department Head will complete an evaluation of the employee. This evaluation will become a permanent part of the employee's personnel record.

E. Termination Upon the expiration of the six (6) months probationary period, an employee of the Town shall be terminated only for just cause or such other reasons as stated in the writing by the Department Head's recommendation to the Selectboard. This appeal shall follow the steps described in the second paragraph of the Grievance Procedure section of this Policy.

F. Grievance Procedure — There shall be a grievance procedure available to those non-probationary employees of the Town whose rights under this Policy have in any way been infringed upon, and covering all other grievances except those that would properly be under the jurisdiction of the Civil Service Commission or other duly established appeal board. For grievances involving sexual harassment, see attached policy. Should any grievance arise between the town and any employee, an effort shall be made to settle such difference as follows:

The first and second steps in this grievance procedure are informal efforts to resolve problems where they arise and with the parties directly involved the third and fourth steps provide a means of further appeal to the Personnel Board and to the Selectboard. The employee may be accompanied by and represented by another individual at Step 3 or Step 4 of this procedure. He or she must include the name of the representative in the written requests submitted to the Personnel Board for a Step 3 hearing and to the Selectboard for a Step 4 hearing

The employee will follow the steps in the order described below; however the employee may contact the Personnel Board directly if, for the particular grievance, it seems inappropriate for the employee to discuss the problem with the department head or supervisor. Also, the Town Coordinator may be contacted at any time for additional information, guidance or assistance in interpreting any part of this grievance procedure.

Step 1. Within thirty calendar days of the incident or the action causing the problem, the complaint will be presented in writing and discussed with the immediate supervisor, who in some cases will be the department head. The supervisor will provide the grievant in writing with a brief summary of the problem and a response to it within five calendar

days following the meeting. If the immediate supervisor is the department head, the next step in this procedure is Step 3: otherwise, Step 2 applies.

Step 2. If the supervisor's reply does not resolve the problem to the employee's satisfaction, the employee may submit a written description of the complaint to the department head within five calendar days from the date of the supervisor's written response. The department head will discuss the situation with the employee and will provide the employee with a written response within seven calendar days following receipt of the written description of the complaint.

Step 3. If the department head's response does not resolve the problem to the employee's satisfaction, the employee may request that the complaint be reviewed by the Personnel Board. The request to the Personnel Board will be submitted in writing within fourteen days following the receipt of the response of the department head. The request will include the following:

- i. A description of the incident or action which caused the complaint and specifically what the complaint is.
- ii. What the employee considers to be a satisfactory resolution of the matter.
- iii. Why the department head's and/or supervisor's decision is either unfair or fails to provide an adequate solution
- iv. The name of the representative if the employee has decided to be accompanied and represented by another individual at the Personnel Board hearing.

Within seven days of receipt of the request for a hearing, the full Personnel Board will hold a preliminary meeting to review the grievance and determine whether the grievance merits a full hearing. If the Personnel Board will hold a preliminary meeting to review the grievance and determines a hearing is warranted, it will designate the time and place for a hearing and all parties will be notified. During that hearing, the Personnel Board will review the entire case, may seek additional relevant information, and may interview any of the parties involved. The grievant or his/her representative will have the right to present information, both in writing and through witnesses, and to question others who have provided information.

The Personnel Board will issue written findings and recommendations within fourteen (14) days with copies to all parties concerned.

Step 4. If the Personnel Board's response does not resolve the problem to the employee's satisfaction the employee may request that the complaint be reviewed by the Selectboard. The request to the Selectboard will be submitted in writing within fourteen days following the receipt of the response of the Personnel Board. The request will include the following.

- i. A description of the incident or action which caused the complaint and specifically what the complaint is.
- ii. What the employee considers to be a satisfactory resolution of the matter.
- iii. Why the department head's and/or supervisor's decision and/or the Personnel Board's decision is either unfair or fails to provide an adequate solution.
- iv. The name of the representative if the employee has decided to be accompanied and represented by another individual at the Selectboard's hearing.

Within seven calendar days of receipt of the request for a hearing, the Selectboard will hold a preliminary meeting, and notify all parties of the meeting, to review the grievance and determine whether the grievance merits a full hearing. If the Selectboard determines that a hearing is warranted, it will designate the time and place for a hearing and all parties will be notified. During that hearing, the Selectboard will review the entire case, may seek additional relevant information, and may interview any of the parties involved. The grievant or his/her representative will have the right to present information, both in writing and through witnesses, and to question others who have provided information.

The Selectboard will issue written findings and recommendation within fourteen (14) days with copies to all parties concerned. The decision of the Selectboard shall be final and binding on all parties.

G. Termination Employment with the Town has no specific term or length. Employees are free to resign at any time and the Town reserves the right to terminate employment for any reason permissible by law.

Voluntary Termination If one should resign from the Town, the Town would appreciate as much advance notice as possible so that arrangements can be made for a replacement. Usually, two (2) weeks written notice is sufficient, except if the employee is in a supervisory capacity, in which case the Town would appreciate a one (1) month written notice. If one resigns, he/she will be paid for accrued but unused vacation time. One will not be paid for any unused accrued sick leave or personal leave.

Involuntary Termination — One is expected to meet standards of performance, attendance and behavior and to follow Town policies and procedures. An employee may be terminated for failure to do so.

Involuntarily terminated employees will be paid through the date of termination. He/she will receive pay for any accrued but unused vacation time. Notwithstanding the above,

M.G.L Chapter 39, section 23B procedure shall apply rather than the above where appropriate.

H. Drug Free Workplace The Town of Warwick seeks to ensure a safe, healthy and productive work environment for all employees. Evidence clearly indicates that alcohol and other drug abuse by employees results in low productivity, high absenteeism, excessive use of medical benefits and a risk to their own safety as well as that of their co-workers. In a good faith effort to comply with the federal Drug-Free Workplace Act of 1988, the Town of Warwick wants to emphasize its long-standing policy against the use of alcohol, illegal drugs and/or controlled substances on the Town premises. **It is prohibited for any employee of the Town of Warwick to unlawfully manufacture, distribute, dispense, possess, or use controlled substances at the workplace or on other premises while conducting Town of Warwick business.** Controlled substances are defined for the purposes of this policy as those groups of drugs whose use is limited or prohibited by federal and/or state law.

The Town of Warwick has taken steps to combat the dangers posed by alcohol and other drug abuse. Some resources available to employees include:

- * The State Department of Public Health's Division of Substance Abuse information and referral hotline (800) 327-5050 or TTD (617) 547-2111 to help find out about treatment options and resources.
- * Employee Assistance Program - 24 hour access line *800-451-1834*
- * Franklin Medical Center Programs, Beacon Clinic (413) 772-6388.
- * Group health insurance providers manuals outlining benefits available to enrolled employees and their families.

Questions about programs or insurance coverage should be addressed to the Town Treasurer.

In a further effort to safeguard its employees, the Personnel Policy calls for disciplinary action (exercised according to existing guidelines and procedures), up to and including termination, in instances where employees are found to be engaged in the unlawful manufacture, distribution, dispensing, possession or use of a controlled substance in the workplace. In compliance with the Drug-Free Workplace Act of 1988, all employees are required to adhere to these provisions and requirements. **(Adopted by the Selectboard, December 19, 2005)**

I. Sexual Harassment Policy It is the goal of the Town of Warwick to promote a workplace that is free of sexual harassment. Sexual Harassment of employees occurring in the workplace or in other settings in which employees find themselves in connection with their employment, is unlawful and will not be tolerated by this organization. Further, any retaliation against an individual who has complained about sexual harassment or

retaliation against individuals for cooperating with an investigation of a sexual harassment complaint, is similarly unlawful and will not be tolerated. To achieve our goal of providing a workplace free from sexual harassment, the conduct described in this policy will not be tolerated and we have provided a procedure by which inappropriate conduct will be dealt with, if encountered by employees.

Because the Town of Warwick takes allegations of sexual harassment seriously, we will respond promptly to complaints of sexual harassment and where it is determined that such inappropriate conduct has occurred, we will act promptly to eliminate the conduct and impose such corrective action as necessary, including disciplinary action where appropriate.

Please note that while this policy sets forth our goals of promoting a workplace that is free from sexual harassment, the policy is not designed or intended to limit our authority to discipline or take remedial action for workplace conduct which we deem unacceptable, regardless of whether that conduct satisfies the definition of sexual harassment.

Definition of Sexual Harassment: In Massachusetts, the legal definition for sexual harassment is this: "sexual harassment" means sexual advances, requests for sexual favors, and verbal or physical conduct of a sexual nature when:

- (a) submission to or rejection of such advances, requests or conduct is made either explicitly or implicitly a term or condition of employment or as a basis for employment decisions; or,
- (b) such advances, request or conduct have the purpose or effect of unreasonably interfering with an individual's work performance by creating an intimidating, hostile, humiliating or sexually offensive work environment.

Under these definitions, direct or implied requests by a supervisor for sexual favors in exchange for actual or promised job benefits such as favorable reviews, salary increases, promotions, increased benefits, or continued employment, constitutes sexual harassment.

The legal definition of sexual harassment is broad and, in addition to the above examples, other sexually oriented conduct, whether it is intended or not, that is unwelcome and has the effect of creating a workplace environment that is hostile, offensive, intimidating, or humiliating to male or female workers may also constitute sexual harassment.

While it is not possible to list all additional circumstances that may constitute sexual harassment, the following are some examples of conduct, which, if unwelcome, may constitute sexual harassment depending on the totality of the circumstances, including the severity of the conduct and its pervasiveness:

- *unwelcome sexual advances-whether they involve physical touching or not;

*sexual epithets, jokes, written or oral references to sexual conduct, gossip regarding one's sex life, comment on an individual's body, comment on an individual's sexual activity, deficiencies, or prowess;

*displaying sexually suggestive objects, pictures, cartoons;

*unwelcome leering, whistling, brushing against the body, sexual gestures, suggestive or insulting comments;

*inquiring into one's sexual experiences, and discussion of one's sexual activities.

All employees should take special note that, as stated above, retaliation against an individual who has complained about sexual harassment, and retaliation against individuals for cooperating with an investigation of a sexual harassment complaint is unlawful and will not be tolerated by this organization.

Complaints of Sexual Harassment: If any of our employees believes that he or she has been subjected to sexual harassment, the employee has the right to file a complaint with our organization. This may be done in writing or orally.

If you would like to file a complaint, you may do so by contacting:

Town Coordinator
Town Hall, 12 Athol Road
Warwick, MA 01378
(978) 544-6315

This person is also available to discuss any concerns you may have and to provide information to you about our policy on sexual harassment and our complaint process.

If the complaint is in regard to the contact person, the complainant may contact a member of the Selectboard of the Town of Warwick.

If it is determined that inappropriate conduct has occurred, we will act promptly to eliminate the offending conduct, and, where it is appropriate, we will also impose disciplinary action.

Sexual Harassment Investigation: When we receive the complaint, we will promptly investigate the allegation in a fair and expeditious manner. The investigation will be conducted in such a way as to maintain confidentiality to the extent practicable under the circumstances. Our investigation will include a private interview with the person filing the complaint and with witnesses. We will also interview the person alleged to have committed sexual harassment. When we have completed our investigation, we will, to the

extent appropriate, inform the person filing the complaint and the person alleged to have committed the conduct, of the results of that investigation.

Disciplinary Action: If it is determined that inappropriate conduct has been committed by one of our employees, we will take such action as is appropriate under the circumstances. Such action may range from counseling to termination of employment, as defined by the Town of Warwick Personnel Policies & Procedures.

State and Federal Remedies: In addition to the above, if you believe you have been subjected to sexual harassment, you may file a formal complaint with either or both of the government agencies set forth below. Using our complaint process does not prohibit you from filing a complaint with these agencies. Each of the agencies has a short time period for filing a claim.

1. The United States Equal Employment Opportunity Commission (EEOC), One Congress Street, 10th Floor, Boston, MA 02114, (617)565-3200.

2. The Massachusetts Commission Against Discrimination (MCAD):

Boston office: One Ashburton Place, Room 601, Boston, MA 02108, (617)7273990.

Springfield office: 424 Dwight Street, Room 220, Springfield, MA 01103, (413)739-2145.

Worcester office: 22 Front Street, 5th Floor, P.O. Box 8038, Worcester, MA 01641, (508)799-6379.

(Adopted by the Selectboard, December 19, 2005)

VII. Personnel Policy

- a. No person shall be appointed, employed or paid as an employee except on an emergency basis, in any position subject to the provisions of this policy, under any title other than those of classification schedule which may be developed by the Selectboard or Appointing Authority.
- b. All new employees shall be hired at base pay for the position, unless it has been determined by the Department Head and the Selectboard that the qualifications of the person warrant a higher wage or salary.
- c. Wage or salary increases shall be based on merit, not necessarily on length of service, and shall be made only on the recommendation of the responsible Department Head and the approval of the Selectboard.

- d. Each Department Head may, if conditions warrant, employ persons on an emergency basis, for a period not to exceed one (1) calendar week, without prior approval of the Selectboard. The Department Head must defend this hiring at the next meeting of the Selectboard. Repeated emergency employment circumstances are unlikely, and must be justified to the Selectboard. Department heads must maintain a standby list of approved emergency employees for emergency employment.
- e. The Selectboard will, before each Annual Town Meeting, develop a base pay schedule for all job classifications for Town employees for the following fiscal year

VIII. Non-Discrimination Statement

The Town is fully committed to the concept and practice of equal employment opportunity. We will continue to strive for equality and hope to maintain this goal as the Town grows. Consistent with the Town's commitment to equal employment opportunity, all decisions pertaining to employment, compensation or advancement will be based on sound business needs and without regard to race, color, religion, national origin, gender, age, handicap, sexual orientation or veteran status.

IX Personnel Records

A personnel record of all Town employees and recruitment transactions shall be kept by the Select board/Personnel Board in its office. This record shall contain the employee's application for employment and other permanent data. It shall be the duty of each Department Head to furnish the Personnel Board with all information needed for the completion of this record.

Each Department Head shall submit to the Town Accountant, with the biweekly pay warrant, a time sheet for each employee. This time sheet shall specify the number of hours worked and any leave taken, as well as any pertinent information for the personnel record.

X. Benefits

In order to be eligible for **fringe benefits** (Sub-section a-i), with the exception of Holiday pay and Health Insurance, an employee must be designated as permanent full-time or permanent part-time, the permanent part-time employees' benefits to be prorated to the actual days / hours worked, and all employees must have completed the six (6) month review period. The official work year in reference to any benefits shall be the same as the fiscal year: July 1 through June 30. The official Department Head is responsible for entering on the departmental payroll all amounts payable under this section.

- a. **Leave of Absence** -- Reasonable requests for a leave of absence may be granted by the Department Head, at their discretion, with the approval of the Selectboard. Such a leave shall fall into two categories:

Section 1. Personal Leave — allowable only if the work load permits and the absence of the employee will not cause undue hardship to the department. The maximum leave is eight (8) weeks. This leave will be taken as vacation and/or unpaid leave. Fringe benefits will not be provided to employees during unpaid leaves of absence for personal reasons.

Section 2. Medical or Maternity — This leave can be taken up to a maximum of twelve (12) weeks in accordance with the provisions of the FMLA and / or the MMLA. Fringe benefits will be provided during this period of time.

- b. **Sick Leave**

Section 1. The term “sick leave” shall apply to personal illness, disabling accidents (not work-related), prescribed medical examinations for absences concerned with sickness or accident. Three or more consecutive days of sick leave will require a physician’s certificate to be submitted to the Department Head and/or appropriate board.

Section 2. A permanent employee shall accrue sick leave after completing the six (6) month review period, at the rate of one (1) day per month, retroactive to the first full month, not to exceed ten (10) days per year. Unused sick leave shall accumulate to a maximum of 45 days.

Section 3. Notification of absence due to illness must be made as early as possible on the day of absence to the Department Head.

Section 4. Injury, illness or disability self imposed, or resulting from the use of alcohol or drugs, shall not be considered a proper claim for sick leave under this section.

Section 5. Upon termination of employment with the Town, all sick leave benefits accumulated or otherwise, of the employee shall cease.

- c. **Vacations**

The vacation period shall be July 1 to June 30, and vacation pay shall be based on the following schedule:

| Time Employed | Length of Vacation |
|-----------------------------|---------------------------|
| <u>New Hire - 4 years</u> * | 10 days |

| | |
|---------------------|---------|
| <u>5 - 10 years</u> | 15 days |
| <u>over10 years</u> | 20 days |

**In compliance with Paragraph VI, D.*

Vacations shall be granted by the Department Head at such times as, in their opinion, will cause the least interference with the performance of their departments.

Vacations must be taken in the year in which they are due, and shall not accumulate from year to year. Employees must give at least two (2) weeks notice of two or more consecutive days desired vacation time to the Department Head. The Department Head will notify the Selectboard in writing in advance of the desired vacation time.

Whenever the employment of any person subject to the provisions of this policy is terminated during a year by dismissal, layoff, resignation, retirement, or death, the employee or their estate shall be paid at the regular rate of compensation payable to them at the termination of their employment, an amount in lieu of such a vacation provided that no monetary or other allowance has already been made therefore.

d. Holidays

The holidays to which permanent employees are entitled with pay are Independence Day, Labor Day, Columbus Day, Veterans Day, Thanksgiving, Christmas, New Year's Day, Martin Luther King Day, Presidents' Day, Patriot's Day, Memorial Day. In order to qualify for holiday credit, an employee shall have been on paid status other than sick leave on the last scheduled day before and the next scheduled day following such holiday.

In the case where an employee is required to work on a paid holiday, the employee will receive time and a half regular wage paid in addition to the holiday pay. If the holiday falls on Sunday, it will be celebrated on Monday. If the holiday falls on Saturday, it will be celebrated on Friday. Holiday time will be taken on the day of the holiday.

e. Jury Duty

A permanent employee called for jury duty, or to testify as a witness in a matter before a legal tribunal which involves the Town of Warwick, shall be paid an amount equal to the difference between the monies received from said tribunal, other than travel allowances, and the pay he or she would have received from the Town.

f. Military Training

Permanent employees who are required to report for temporary summer or like period of training in the military forces of the Nation or Commonwealth, shall be paid an amount

equal to the difference between compensation for normal working period for seventeen days and the amount paid for military training. An employee, on request, may combine his/her military leave with a regular vacation.

g. Bereavement Leave

In the event of death in the immediate family of a permanent employee, the employee shall be granted up to three (3) days or up to the day of the funeral, whichever ever comes first., without loss of pay. Immediate family shall include mother, father, sister, brother, wife, husband, child; or brother, sister, grandparent / child or parent in law. Funeral leave shall in no way be related to regular vacation time or sick leave. The employee in question shall be responsible for notifying the Department Head.

h. Insurance

Group life insurance and group health insurance as provided under Chapter 32B of the General Laws shall be available to permanent full time and permanent part time employees who are regularly scheduled to work twenty 20 or more hours per week

i. Retirement

The retirement system and pensions as provided under Chapter 32 of the General Laws of Massachusetts, shall be applicable to all permanent employees

XI. Repeal and Amendment of this Policy.

This Policy may be altered, repealed, or amended following a public hearing at any Selectmen's meeting specifically called for the purpose, an article for such purpose having been included in the agenda for such meeting

XII. Severability

If any provision of this Policy shall conflict with any civil service law or regulation applicable to any position, or any other law, it shall be deemed modified by the law or regulation. The invalidity of any provision hereof shall not be construed to invalidate any other provision of this Policy.

ADDENDUM

Political Activities of Public Employees Policy

You may not directly or indirectly solicit or receive any gift, payment, contribution, assessment, subscription, or promise of money or things of value for the political campaign purposes of any candidate for public office or of any political committee or for any political purpose (See M.G.L. Ch.55, § 13 below).

Thus, you may not:

- Sell or distribute tickets for a political fundraiser.
- Allow your name to be included on an invitation for a political fundraising event.
- Allow your house to be used for any political event at which a request will be made for fundraising.
- Be a Treasurer for a political committee or candidate.

Also, you may not give any payment of money for any candidate or political committee in any building occupied for state, county or municipal purposes. (The law also prohibits any person from soliciting a political contribution in any such public building.)

In addition, you may not:

- Participate in political activity during normal working hours.
- Use office equipment (telephones, photocopy machines, facsimile machines, computers, etc.) for political activity at any time.
- Use or attempt to use your official position to interfere with or affect the result of any election.

You may, however, voluntarily participate in political activity during nonworking hours, unless such activity is prohibited as stated above.

Chapter 55: Section 13 Solicitation or receipt of political campaign contributions by appointive public officers or employees prohibited; exception; penalties

Section 13. No person employed for compensation, other than an elected officer, by the commonwealth or any county, city or town shall directly or indirectly solicit or receive any gift, payment, contribution, assessment, subscription or promise of money or other thing of value for the political campaign purposes of any candidate for public office or of any political committee, or for any political purpose whatever, but this section shall not prevent such persons from being members of political organizations or committees. The soliciting or receiving of any gift, payment, contribution, assessment, subscription or promise of money or other thing of value by a non-elected political committee organized to promote the candidacy for public office of a person so employed for compensation by the commonwealth or any county, city or town, shall not be deemed to be a direct or indirect solicitation or receipt of such contribution by such person; provided, however, that no such gift, payment, contribution, assessment, subscription or promise of money or

other thing of value may be solicited or received on behalf of such a person from any person or combination of persons if such person so employed knows or has reason to know that the person or combination of persons has an interest in any particular matter in which the person so employed participates or has participated in the course of such employment or which is the subject of his official responsibility.

Any appointed officer or employee convicted of violating any provision of this section may be removed by the appointing authority without a hearing.

Violation of any provision of this section shall be punished by imprisonment for not more than one year or by a fine of not more than one thousand dollars.

(Adopted by the Selectboard, December 19, 2005)

I have received a copy of the Town of Warwick's Personnel Policy and procedures as revised October 23, 2006.

Employee Signature

Date

Printed Name

Original copy of this page placed in individual's folder

Public hearing held November 27, 2000

Adopted by Warwick Selectboard December 4, 2000

Revised by Warwick Selectboard, October 23, 2006