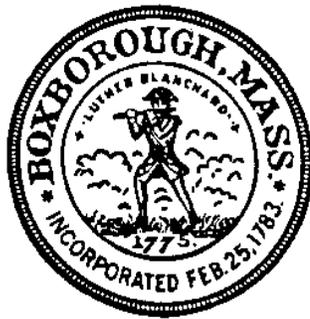


Town of Boxborough, MA

# PERSONNEL ADMINISTRATION PLAN



EFFECTIVE DATE November 1, 1987

Current as of [May 12, 2014](#)

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**ARTICLE I. PERSONNEL ADMINISTRATION PLAN AND PERSONNEL BOARD**

**Section 1.** In accord with the provisions of MGL Chapter 41, Sections 108 A and 108 C, and every other power it thereto in any way enabling, the Town of Boxborough, in Town Meeting assembled, hereby establishes this Personnel Administration Plan for the Town of Boxborough (hereinafter referred to as the "Plan"), as well as a Personnel Board (hereinafter referred to as the "Board") to administer said plan and other provisions of its By-Laws pertaining to personnel, this 1st day of July, 1980.

Amended  
ATM 2000  
This Personnel Administration Plan does not create a contract nor is it to be interpreted or construed as creating any contractual obligations of any kind between the Town and any of its employees.

**ARTICLE II. APPLICATION**

**Section 1.** The Plan set forth below classifies all positions occupied by employees of the Town of Boxborough into groups and classes doing substantially similar work and having substantially equal responsibilities.

Amended  
STM 11/26/84  
The plan includes those persons who have retired from employment with the Town under conditions specified in Section 6, Article XII, as amended.

**Section 2.** The Plan applies to all employees of the Town, except positions filled by popular election, ~~and those under the direction of the School Committee.~~

Amended  
ATM 2002  
Amended  
ATM 2009  
A collective bargaining agreement with conflicting provisions prevails over the terms of this Personnel Administration Plan.

**ARTICLE III. DEFINITIONS**

**Section 1.** The Plan shall be administered by the Personnel Board consisting of five (5) unpaid members residing in Boxborough, each of whom shall be appointed by the Board of Selectmen for a term of three years.

Amended  
ATM 1995  
Amended  
ATM 2006  
Amended  
ATM 2008

**Section 2.** Employee Categories  
a. Regular, Full-Time Employees are employees of the Town who are regularly scheduled to work 40 hours during their regular work week.  
b. Regular, Reduced-Hours Employees are employees of the Town who are regularly scheduled to work at least 20 hours, but less than 40 hours during their regular work week.  
c. Regular, Part-Time Employees are employees of the Town who are regularly scheduled to work less than 20 hours during their regular work week.  
d. Temporary, Full-Time Employees are employees of the Town who are scheduled to work 40 hours during their work week for a period which does not exceed four consecutive months.  
e. Temporary, Reduced-Hours Employees are employees of the Town who are scheduled to work at least 20 hours, but less than 40 hours, during their work week for a period which does not exceed four consecutive months.  
f. Intermittent Employees are employees who are employed from time to time to meet the needs of the Town as they arise.  
g. Exempt Employees are Administrative, Executive, and Professional employees, as defined by the Fair Labor Standards Act. The exempt positions are indicated on Schedule A. Exempt employees are exempt from only Article III, Section 4 and Article VII Sections I through 5 and Article VIII Section 1. All

Amended  
ATM 2009  
Amended  
ATM 2009

Amended  
ATM 2009

Amended  
ATM 2009

Amended  
ATM 1995

Amended  
ATM 1995

- other provisions of the Bylaw shall apply.
- h. Exempt Trainees are those people who are being trained for jobs and will receive no compensation during the ~~trained-training~~ period. This category must follow the six criteria outlined in the Fair Labor Standards Act.
1. The training, even though it includes actual operation of the facilities of the employer, is similar to that which would be given in a vocational school.
  2. The training is for the benefit of the trainees.
  3. The trainees do not displace regular employees, but work under close supervision.
  4. The employer that provides the training derives no immediate advantage from the activities of the trainees, and on occasion operations may actually be impeded.
  5. The trainees are not necessarily entitled to a job at the completion of the training program.
  6. The employer and the trainee understand that the trainees are not entitled to wages for the time spent in training.

Amended  
ATM 1995

- i. Per Diem Workers are those workers who are hired to meet the staffing needs of the Town i.e., special police officers, part-time firefighters and other intermittent employees

Amended  
ATM 2002

- j. ~~Department Head/Chief is any individual, permanent or acting, filling a position listed in Schedules A and B under "Department Heads."~~

**Section 3.**

Amended  
ATM 2000  
Amended  
ATM 2006

Pay Period is a fourteen-day period.

**Section 4.**

Amended  
ATM 1995  
Amended  
ATM 2006

Regular Work Period shall consist of forty (40) hours during each week, unless the Town requires fewer hours of work from such position.

**Section 4a.**

Amended  
ATM 1995  
Renumbered  
ATM 2006

Regular Work Period Per Diem Firefighter/EMT - The regular work period for Per Diem Firefighter/EMTs shall consist of a maximum of 50 hours in any one week.

**Section 4b.**

Amended  
ATM 1995  
Renumbered  
ATM 2006

Regular Work Period Special Police Officers - The regular work period for Special Police Officers shall consist of a maximum of 40 hours in any one week.

**Section 5.**

Amended  
ATM 1999  
Amended  
ATM 2009

Continuous Service is any period of continuous paid service, including paid leaves of absence and time on Workmen's Compensation, but excluding unpaid leaves of absence, other than unpaid leaves of ~~absence~~ absence for military service. Service accumulation will restart after the completion of the unpaid leave.

**Section 6.**

Seniority shall be computed substantially in accord with the provisions of MGL Chapter 31, Section 33.

**Section 7.**

Amended  
ATM 1993

Grievance is a dispute arising under and involving the interpretation, meaning, or application of any of the express provisions of this Plan.

**Section 8.**

Amended  
ATM 2000

At Will. Employment with the Town is voluntarily entered into and is therefore "at will." The employee is free to resign at any time. Similarly the Town may

terminate the employment relationship at any time, with or without cause, so long as there is no violation of applicable state or federal law.

**Section 9.**  
Amended  
ATM 2002

Partner is defined as a member of an entity, formed by two persons, in which the individual and employee shall reside together in a common household in a relationship of mutual support, caring, and commitment, and intend to do so indefinitely. Partners must consider themselves to be a family, be each other's sole domestic partner, and be eighteen years old or over. Neither individual may be married to anyone nor have a different domestic partner, nor may the partners be related by blood closer than would bar marriage in the Commonwealth of Massachusetts. Further, the individuals must share basic living expenses, e.g., basic food, shelter, and other joint expenses, and the employee shall show evidence of this.

**Section 10.**  
Amended  
ATM 2009 (moved  
from Misc.Provisions  
formally Article XVI)

Whenever gender based personal pronouns are used in the Plan, they shall be read with equal force and meaning as referring to either gender.

**Section 11.**

The Schedule is defined as the "Classification and Compensation Schedule," which is found at the end of the Plan.

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**ARTICLE IV. ADMINISTRATION**

**Section 1.**  
Amended  
ATM 1995  
Amended  
ATM 2006

The Plan shall be administered by the Personnel Board, as defined in Article III Section 1 of the Plan.

**Section 2.**  
Amended  
ATM 1995  
Amended  
ATM 2008

The five members of the Board shall not be deemed employees of the Town.

**Section 3.**  
Amended  
ATM 1993

The Board shall establish such policies, procedures, and regulations as it deems necessary for the administration and maintenance of the Plan including the schedules annexed thereto. The policies, procedures, and regulations shall be subject to review and approval by the Board of Selectmen.

**Section 4.**

The Board may employ such assistance and incur such expenses as it deems necessary to carry out its duties, subject always to the availability of monies appropriated by the Town for that purpose.

**Section 5.**

The Board shall elect a Chairman and a Clerk from among its members each year. A majority of the Board shall constitute a quorum for the transaction of business. The votes of a majority of all the members of the Board shall be necessary on any matter upon which it is authorized to act.

**Section 5a.**  
Amended  
STM 12/5/94

Members shall attempt to attend all meetings of the Board. Except for periods of vacation or other unusual or extenuating circumstances, if a Board member misses more than five (5) meetings annually, a majority of the Board may vote to recommend to the appointing authority removal of that member from the Board.

**Section 6.**

The Board shall cause the following personnel records to be maintained in a secure place for each employee of the Town.

- a. a copy of the letter offering employment and containing:

- i. starting date
- ii. starting rate of pay
- iii. job title and job description
- iv. employee category
- v. scheduled work hours
- vi. benefits
- b. application form
- c. references
- d. date of birth
- e. Social Security number
- f. changes in pay
- g. performance evaluations (one at least every 12 months)
- h. other information that the Board may deem proper and necessary to the effective administration of the Plan

Amended  
ATM 2009

**Section 6a.**  
Amended  
ATM 2000

A central personnel file, for all positions subject to the Classification and Compensation plans and the employees occupying these positions, shall be established in the Office of the Board of Selectmen. Original files shall be maintained for the Personnel Board by the Town Administrator, or person designated by the Town Administrator. A copy of the files may be maintained by the Department Head, on site, provided the file copies are under lock and key and access is restricted.

These records shall contain the information prescribed in Article IV, Section 6, above. Each employee of the Town, and all future employees except elected officials, ~~and those employees under the direction and control of the School Committee,~~ shall be required to complete the "Application for Employment" form in order to update and maintain the basic personnel file data. The Town Administrator will furnish these forms to each Department Head. The Department Head shall be responsible for furnishing all data needed for the completion of the personnel record.

Amended  
ATM 2009

No material derogatory to an employee shall be filed in a personnel record without the knowledge of the individual employee.

Employees shall have the right to inspect the contents of their personnel files in the presence of the Town Administrator or the designated representative of the Town Administrator.

**Section 7.**  
Amended  
STM 10/5/87

The Board will establish and maintain a Position Classification Plan, ~~for each classification in Schedule A.~~

**ARTICLE V. THE POSITION CLASSIFICATION PLAN**

**Section 1.**  
Amended  
STM 10/5/87

Definitions

- a. A position is a group of currently assigned duties and responsibilities, requiring the full or part-time employment of one person. A group may be occupied or vacant.
- b. A class is a group of positions (or one position) that:
  - 1. Has similar duties and responsibilities;
  - 2. Requires like qualifications; and
  - 3. Can be equitably compensated by the same salary range.
- c. The class title is the official designation or name of the class as stated in the class specification. It shall be used on all personnel records and actions. Working or office titles may be used for purposes of internal administration.

**Section 2.**  
Amended  
ATM 1990

Classification of Positions

All positions occupied by employees of the Town are hereby classified into the groups and classes set forth in ~~Schedule A the Classification and Compensation Schedule, which—Schedule A~~ is incorporated in this Plan and made a part hereof. ~~(effective date November 1, 1987)~~

**Section 3.**  
Amended  
ATM 1990

Allocation of New Positions

The Department Head or other supervisor shall complete a position description covering the duties and responsibilities of each proposed position. The Board with approval of the Board of Selectmen shall allocate the position to one of the classes in the position classification plan. If a suitable class does not exist, the Department Head or other supervisor shall establish a new class in accordance with the provisions of Section 7 of this Regulation and allocate the position to it.

**Section 3a.**  
Amended  
ATM 1990  
Amended  
ATM 2009

Allocation Appeals

If an employee has facts that indicate to the employee that said employee's position is improperly allocated, the employee may request, through the Department Head, that the Personnel Board review the allocation of the position. Such request shall be submitted in writing and shall contain a statement of justification. The employee shall have a right to file a grievance, in accordance with the provisions of Article XV of this Plan, if the Department Head does not submit the allocation request for review by the Personnel Board.

**Section 4.**

Maintenance of the Plan

Amended  
STM 10/5/87  
Amended  
ATM 2009  
  
Amended  
ATM 2009

- a. Each time a vacancy occurs, if the appointing authority feels it is necessary, a position description shall be completed and submitted to the Personnel Board for a review of the allocation of the position.
- b. Each time a department is reorganized, position descriptions for all affected employees shall be submitted by the Department Head to the Personnel Board for review.
- c. The Personnel Board may require Department Head(s) to submit position descriptions on a periodic basis, or any time it has reason to believe that there has been a change in the duties and responsibilities of one or more positions.
- d. Each time a new class is established, a class specification shall be written and incorporated into the existing plan. The class title shall be added to the schematic list of titles. Likewise, an abolished class shall be deleted from the position classification plan by removing the class specification and eliminating the class title from the schematic list of titles.
- e. Two years after adoption of this regulation, the Personnel Board shall conduct a general review of the position classification plan to be followed by a minimum of at least one general review in each succeeding two-year period.

**Section 5.**  
Amended  
ATM 1999

Interpretation of Class Specifications

The class specifications are descriptive and not restrictive. They are intended to indicate the kinds of positions that shall be allocated to the classes.

**Section 6.**

Official Copy of the Positions Classification Plan

The Personnel Board shall be responsible for maintaining an official copy of the position classification plan. The official copy shall include regulations for administration, schematic list of class titles and class specifications, plus all amendments thereto. A copy of the official plan shall be available for inspection by the public under reasonable conditions during business hours.

**Section 7.**  
Amended

Amendments to the Position Classification Plan

Each time it appears desirable to establish a new class of positions or to abolish a

ATM 2002

current class of positions, the Personnel Board shall propose such change by modifying ~~the Schedule~~Schedule A for approval at Town Meeting.

**ARTICLE VI. THE PAY PLAN**

**Section 1. New Appointees**

Amended  
STM 10/5/87  
Amended  
ATM 2009

a. Generally, a new employee shall be paid the minimum rate of pay for the employee's class, which will be based upon the assumption that the employee meets the minimum qualifications stated in the class specification.

Amended  
ATM 2009

b. If a new employee more than meets the minimum qualifications, the Department Head shall have the discretion to place the employee on a higher step with the recommendation of the Personnel Board and approval of the Board of Selectmen.

~~and will not accept appointment at the minimum rate of the class, an exception may be granted upon the prior approval of the Personnel Board and Board of Selectmen allowing the employee to be appointed at the second step or in unusual cases at a still higher step. This practice should be used in emergencies only. Cases should be thoroughly analyzed and measured against objective standards. In addition, every effort should first be made to recruit a qualified employee who will accept appointment at the minimum rate of the class.~~

Amended  
ATM 1995  
Amended  
ATM 2009

c. Each new employee shall be required to serve a training period of six months, which period is counted beginning from the first date the employee works, not including time spent as an exempt trainee. Unsatisfactory trainee employees shall be separated on or before the completion of their training period. The written approval of the employee's Supervisor and the Board of Selectmen shall be required before the employee shall become a regular full-time, regular reduced-hours or regular part-time employee.

**Section 2. Promotions**

Amended  
ATM 2009

a. When an employee is promoted to a position in a higher class, the employee's salary shall be increased to the minimum rate for the higher class. In the case of overlapping ranges, the promoted employee shall be increased to the step immediately above the employee's present salary.

Amended  
ATM 2009 (moved  
from Misc.Provisions  
formally Article XVI)

b. Any regular full-time employee specifically assigned by the Department Head to a higher hourly rated position for the purpose of fulfilling all of the duties of that position for one-full shift or more, i.e. temporarily promoted, shall be paid at a rate equal to the rate of the incumbent, but no more than step 3. However, the employee shall not suffer a reduction in pay.

**Section 3. Transfers**

There shall be no immediate change in the salary rate of an employee who is transferred, unless the employee's salary is below the approved minimum of the new position. If a new employee is transferred to a position in a class having a higher salary rate than the class from which the employee was transferred, such change shall be deemed a promotion and the provisions governing promotions shall apply.

**Section 4. Demotions**

Amended  
STM 10/5/87  
Amended  
ATM 2009

When an employee is demoted to a lower class position, the employee shall be paid at a rate that is within the approved range for the employee's lower class position. The rate of pay will be set by the Department Head and reviewed by the Personnel Board.

**Section 5. Reallocation Downward**

Amended

When an employee's position is reallocated to a lower class of positions, the

ATM 1990

employee shall be permitted to continue at the employee's present rate of pay during the period of incumbency (except in the event of general service-wide reductions), but shall not be entitled to a salary increase.

**Section 6.**

Amended  
ATM 2009

Reinstated Employees

A reinstated employee shall be paid at a salary rate within the approved range for the position to which the employee is reinstated. The Department Head will establish the rate, which will be reviewed by the Personnel Board.

**Section 7.**

Amended  
ATM 2002  
ATM 2013

Merit Salary Adjustments

On an annual basis, the Board of Selectmen, in consultation with the Personnel Board, will determine whether step advancements will be granted to employees who are paid under the personnel plan. If after such review it is determined that step advancements will be granted for a given year, then employees with one (1) or more years of service who have achieved an overall performance rating of "meets requirements" or better will be advanced to the next step within their job classification on the following July 1. New employees who were hired before January 1 who have achieved an overall performance rating of "meets requirements" or better will also be advanced to the next step within their job classification on the following July 1. New employees who were hired after January 1 who have achieved an overall performance rating of "meets requirements" or better will move to the next step within their job classification on the July 1 that follows the employee's completion of a full year of employment.

**Section 8.**

Amended  
ATM 1999

Responsibility for Administration

The Personnel Board, with the approval of the Board of Selectmen, shall be responsible for administering the pay plan for all positions. The Boards shall be responsible for making arrangements to insure that the administration of the plan for all employees is on an equitable basis.

**Section 9.**

Interpretation

The Personnel Board shall be responsible for interpreting the application of the plan to all pay problems that are not specifically covered by this regulation, using the principles expressed herein as a policy guide.

**Section 10.**

Section Deleted  
ATM 2009

Initial Adjustment to the Pay Plan

**Section 10.**

Amended  
ATM 1990  
Renumbered  
ATM 2009

Review and Amendment of the Pay Plan

- a. Prior to the annual submission of their budget, but no later than January 1, the Board of Selectmen, assisted by the Personnel Board, shall have completed a review of the pay plan and shall submit recommended amendments.
- b. The rates of pay for each class of positions prescribed in the position classification plan for the Town of Boxborough (~~Schedules A & B~~) shall be changed and rates of pay for new classes of positions shall be established by Town Meeting.

**ARTICLE VII. HOURS OF WORK AND OVERTIME**

**Section 1.**

Amended  
ATM 2006

The regular workweek of all regular full-time employees shall consist of forty (40) hours in any one week.

**Section 2.**

Amended  
ATM 1995

The regular work period for Per Diem Firefighter/EMTs shall consist of a maximum of 50 hours.

Renumbered  
ATM 2006

**Section 3.** The regular work period for Special Police Officers shall consist of a maximum of 40 hours.

Amended  
ATM 1995  
Renumbered  
ATM 2006

**Section 4.** A non-exempt employee, shall be paid at one and one-half (1.5) his/her regular rate for work

Amended  
ATM 2002  
Amended  
ATM 2006  
Amended  
ATM 2009

1. in excess of forty (40) hours, or in the case of a Per Diem Firefighter/EMT, fifty (50) hours in one (1) week, and/or
2. in excess of eight (8) hours in one (1) day, or in the case of a Per Diem Firefighter/EMT, in excess of his/her shift hours, when required in an emergency or safety threatening situation, and/or
3. all work performed on Saturday and Sunday when NOT part of the regularly scheduled workweek.

Incidental overtime, such as incurred helping a citizen who asked for service late in the day, should be compensated with an equal amount of time arriving late or leaving early another day during the same week.

Amended  
ATM 2009

All overtime must be pre-approved by the Department Head or designee.

Overtime shall be equitably distributed among personnel in each department who ordinarily perform such related work in the normal course of their work week. Employees who are offered overtime work and refuse will be credited with having had their turn.

**Section 5.** In lieu of the overtime compensation provided in Section 4, a regular full-time employee may receive paid time off at the rate of 1.5 times each hour worked in excess of forty hours during any pay week, provided that:

All sub-sections  
Amended  
STM 10/5/87

- a. The employee secured the approval thereof of the employee's Department Head.
- b. In the event that an employee gives the Department Head notice, at least four weeks in advance, of the time that the employee wishes to take, the Department Head shall approve such request, unless at the Department Head's sole discretion, an emergency exists. In the event said notice shall be given less than four weeks in advance, the Department Head may deny such request so long as the Department Head's decision is not unreasonable.

No employee may take more than five days off in lieu of compensation during any fiscal year.

**Section 6.** Exempt Employees are those Administrative, Professional, and Executive employees, as defined by the Federal Fair Labor Standards Act, and they are exempt from the provisions concerning the length of the work-week. Their annual salary is considered adequate compensation for the completion of those tasks required by their job.

Amended  
ATM 1995

**Section 7.** All non-exempt employees, including per diem, are paid overtime for working on holidays.

Amended  
ATM 2000

**Section 8.**

**DPW Snow and Ice Removal.**

This section shall apply only to DPW employees involved in the removal of snow and ice. A DPW employee who works in excess of eight (8) hours in any single work day will be paid at the rate of time and a half the employee's regular rate of pay, for the time worked in excess of eight (8) hours in that work day. If the employee is being paid at the rate of time and a half and continues to work into the employee's next shift, the employee will continue to be paid at time and a half until the continuous work period ends and the employee is relieved of duty. A rest period of not more than four (4) hours shall not cause the continuous work period to end and pay at time and a half shall resume when the employee returns to work from such rest period.

**ARTICLE VIII. OTHER FORMS OF PAY**

**Section 1.**

Amended  
ATM 1996  
Amended  
ATM 2006

Call in Pay

If any employee is called to work while the employee is not scheduled to be on duty, the employee shall be compensated for the time worked at the employee's hourly rate, but in no event shall the employee's compensation be measured by less than four hours.

**Section 2.**

Detail Pay

1. Town Details. A Special Police Officer working a town detail will be compensated at one and a half (1.5) times the hourly rate established for Special Police Officer under Schedule B-the Schedule.
2. Private Details. A Special Police Officer or Per Diem Firefighter/EMT working a private detail will be compensated at the rate of forty-five dollars (\$45) per hour, for a minimum of four (4) hours. After four (4) hours worked, an employee working the private detail will be compensated at the rate of forty-five dollars (\$45) per hour, for a minimum of eight (8) hours. An employee working additional hours in excess of eight (8) hours will be compensated on an hour to hour basis at the rate of sixty-seven dollars and fifty cents (\$67.50) per hour for those hours in excess of eight (8) hours. All private details shall be billed to the contractor.

Renumbered  
ATM 2013  
**Section 3.**  
Amended  
ATM 2002

Education Reimbursement

Full-time employees are eligible for reimbursement of tuition and the cost of books, within the limits of the approved educational budget for the department, provided that:

The course provides for professional development related to the employee's current work assignment.

Amended  
ATM 2009  
  
Amended  
ATM 2009

1. Any such course is approved in advance by the Department Head or designee.
2. The course is completed with a grade of B or better.
3. For enrollment in any state-supported course or program at the undergraduate or graduate level at any Community College, State College, or State University, full tuition remission shall apply. For enrollment in any non-state-supported course or program offered through continuing education at any Community College, State College, or State University, fifty percent (50%) tuition remission shall apply.

**Section 3.**  
Section Deleted

Longevity Pay

**ARTICLE IX. HOLIDAYS**

**Section 1.** All regular, full-time employees, whose compensation is based on an hourly or a weekly rate, will be allowed the following holidays with pay:  
 New Year's Day  
 Martin Luther King's Birthday  
 President's Day  
 Patriots Day  
 Memorial Day  
 Independence Day  
 Labor Day  
 Columbus Day  
 Veterans Day  
 Thanksgiving Day  
 Christmas Day  
 Each holiday will be observed by the Town on the day designated by State law.

Amended  
 ATM 1990

**Section 2.** If any such employee is required to work on a day which has been designated for their observance of such a holiday, the employee shall be compensated for the time worked at 1.5 times the employee's hourly rate in addition to the pay provided by Section 1 above.

Amended  
 ATM 1980

**Section 3.** All regular, reduced-hours employees shall be entitled to the holidays listed in Section 1 except that the number of hours per holiday shall be multiplied by a fraction of which the numerator is average number of hours worked by such employee each week and the denominator is forty.

Amended  
 ATM 1980

**ARTICLE X. VACATIONS**

**Section 1.** All regular full-time employees shall accrue vacation with pay as follows:

Amended  
 ATM 2002  
 Amended  
 ATM 2006  
 Amended  
 ATM 2009

<b>SERVICE</b>	<b>ACCRUAL RATE</b>	<b>VACATION</b>
Date of hire to end of fiscal year	6.67 hours per month	
After one (1) year	<del>6.67</del> 8 hours per month	<del>Ten (10)</del> <u>Twelve (12)</u> work days
After five (5) years	<del>40-11.33</del> hours per month	<del>Fifteen (15)</del> <u>Seventeen (17)</u> work days
After ten (10) years	<del>43.34</del> <u>14.67</u> hours per month	<del>Twenty (20)</del> <u>Twenty-two (22)</u> work days

Employees shall be allowed to use vacation in half-day increments.

For employees with hire date from January 1, through June 30, vacation accrual increases at the beginning of the fiscal year following completion of the service requirement shown in the chart above. For employees with hire date from July 1, through December 31, vacation accrual increases at the beginning of the fiscal year following completion of the service requirement shown less six (6) months, i.e., at 4 1/2 and 9 1/2 years.

**Section 2.** Regular reduced-hours employees shall be entitled to vacation according to Section 1 except that the resulting days shall be multiplied by the average number of hours worked each week and then divided by forty (40).

Amended  
 ATM 2002

**Section 3.** Regular part-time, per diem, and intermittent employees do not accrue vacation time.

Amended

ATM 2002

**Section 4.** Vacation time shall not be accrued during any unpaid Leave of Absence.

**Section 5.** Each vacation year begins on July 1. Vacation time earned may be taken within the vacation year it was earned, ~~but may be deferred by the employee for a maximum of one year. No more than two (2) weeks vacation time may be deferred by the employee for a maximum of one (1) year. Under unusual or extenuating circumstances, additional accrued vacation time may be carried over at the discretion of the Department Head.~~ Payment in lieu of vacation leave is not allowed, except as stipulated in Sections 7 through 9 of this Article.

**Section 6.** The Department Head shall approve all vacation schedules.  
Amended  
ATM 2009

**Section 7.** If a regular, full-time employee shall retire, or if the employee shall terminate employment, said employee shall be entitled to a lump sum payment on termination in the amount of base pay to which the employee would have been entitled for unused vacation under Sections 1 and 2 of this article.  
Amended  
ATM 1993  
Amended  
STM 12/5/94  
Amended  
ATM 2002  
Amended  
ATM 2009

**Section 8** If a regular, reduced-hours employee shall terminate employment in the manner set forth in Section 7 above, the employee shall be entitled to the benefits granted to full-time employees computed in the manner provided in Section 2 above.

**Section 9.** If a regular, full-time employee or a regular, reduced-hours employee shall die, the benefits to which said employee would be entitled under Sections 7 and 8 above shall be paid to the employee's estate.

**Section 10.** If, after beginning an approved vacation, a regular full-time employee is ordered by the appointing authority or its designee to return to work, the Town shall give such employee three (3) days vacation time for each day affected, and shall also reimburse such employee for any vacation expenses incurred as a result of being thus ordered to work.  
Amended  
ATM 1987

**Section 11.** VACATION PAY: If a payday falls during a scheduled vacation, the employee may request that money be paid in advance. In order to minimize the impact on Payroll and Accounting, advance vacation pay must be requested, in writing to the Town Treasurer, not less than 28 days in advance of the date the check would be issued. Employees' written requests will be acknowledged to minimize the chances for error.  
Amended  
ATM 2000

For employees on direct deposit, no special request is necessary. Pay will be deposited, as usual, during the vacation period.

## ARTICLE XI. PAID LEAVES OF ABSENCE

**Section 1.** SICK LEAVE  
Amended

ATM 1987  
Amended  
ATM 1993  
Amended  
ATM 2002

- a. Each regular full-time and regular reduced-hours employee shall be entitled to one day, of the same number of hours as regularly or on average worked, of paid sick leave for each five (5) calendar weeks of continuous service per year to be used in case of illness, or injury, or other temporary disabilities which necessitate the employee's absence from work, except for a disability arising from the use of narcotics, the excessive use of alcohol or conduct which is cause for termination of the employee's employment.

In addition, an employee shall be permitted to use sick leave for the following reasons:

i. To care for a physical or mental illness, injury or medical condition affecting the employee or the employee's child, spouse, parent or parent of a spouse

ii. To attend routine medical appointments of the employee or the employee's child, spouse, parent or parent of a spouse

iii. To address the effects of domestic violence on the employee or the employee's dependent child

Amended ATM  
1987

- b. No such employee may accumulate more than 180 days of sick leave with pay, hold more than 180 days of sick leave with pay at any one time, or accumulate such leave during any calendar month in which the employee is absent from work for more than twenty days on account of temporary disability or other paid leave of absence.
- c. If on sick leave, such employee may be compensated at the employee's regular rate of pay for absences of not more than three (3) consecutive working days, provided that the Department Head is satisfied that the employee's absence was caused by a temporary disability described in paragraph a. of this Section.
- d. ~~Sick leave with pay will be allowed for more than three (3) consecutive working days, only upon submission of a doctor's certificate satisfactory to the Department Head, a copy of which certificate will be filed with the Town Accountant.~~ The Department Head may request a doctor's certificate if an employee has been out on sick leave for more than three (3) consecutive working days, only upon submission of a doctor's certificate satisfactory to the Department Head, a copy of which certificate will be filed with the Town Accountant. No payment on account of sick leave may exceed the employee's accrued sick leave benefit.
- e. If any such employee shall be compensated for working at another occupation during any such period of temporary disability, the employee shall forfeit all sick leave with pay to which the employee might otherwise be entitled for every day devoted to such other occupation.
- f. In the event that such an employee shall be entitled to disability compensation pursuant to the provisions of the Workman's Compensation Act, the employee may take whatever sick leave benefits to which the employee may otherwise be entitled to bring the total compensation up to the full rate of pay provided for the employee's other position.
- g. When an employee is on sick leave or receiving Amended Worker's Compensation benefits and the employee's accrued sick time expires, further benefits under this plan will no longer accrue. Health insurance and other benefits that do continue to apply will be consistent with COBRA and MGL's c. 152 and 32B.

Amended  
ATM 1980  
Amended  
ATM 1993

**Section 2.**  
Amended  
STM 11/19/79  
Amended  
ATM 2002

**BEREAVEMENT LEAVE**

In the event that the spouse or partner, child, foster child, step-child, grandchild, father, mother, step-parent, sister, brother, grandparent, father-in-law, mother-in-law, son-in-law or daughter-in-law of a regular, full-time

Amended  
ATM 2006

employee shall die, the Department Head shall grant such employee a leave of absence with pay for a period not to exceed three (3) working days. In the event that the aunt, uncle, brother-in-law or sister-in-law of a regular, full-time employee, or of the employee's spouse or partner, shall die, the Department Head shall grant such employee a leave of absence with pay for a period not to exceed one (1) working day.

**Section 3.**

Amended  
ATM 2009

JURY DUTY

If a regular, full-time employee or a regular, reduced-hours employee is called to serve on jury duty, the employee shall be paid the difference between the employee's compensation for serving on jury (excluding reimbursement of out-of-pocket expenses) and the compensation provided for the employee's town position. All such employees shall make every reasonable attempt to report for work on the days on which they serve. Reasonable documentary proof of actual service of jury duty must be presented for this compensation to be paid.

**Section 4.**

MILITARY LEAVE

If a regular full-time employee, or a regular, reduced-hours employee or a regular, part-time employee who is a member of an organized unit of the ready reserve of the armed forces gives written notice to the Department Head of the date that the employee wishes to depart for the purpose of military training, the employee shall be entitled to the benefits provided by MGL Chapter 149, Section 52A so long as the employee complies with the terms and conditions set forth therein. Such employee shall be paid the compensation that would otherwise have been received during the leave, less all monies that the employee received from the military (excluding reimbursement of the employee's out-of-pocket expenses) on account of such training.

**Section 5.**

PERSONAL LEAVE

Each regular, full-time employee shall be eligible for three (3) days of Personal Leave during each fiscal year, subject to the following conditions:

Amended  
ATM 1993  
Amended  
ATM 2009

- a. Personal leave may be used for personal reasons other than those required for sick leave or bereavement leave, and such leave shall be taken with the prior approval of the Department Head. Such approval shall not be unreasonably withheld.
- b. During the first year of employment, each such employee may be eligible for one day of paid personal leave for each four (4) months that the employee has worked.
- c. Unused personal leave can never be used during another fiscal year, nor can it be converted to pay or compensation of any kind.
- d. All regular, reduced-hours employees shall be entitled to personal leave, calculated on a pro rata basis by multiplying 3 by a fraction, of which the numerator is the average number of hours worked by such employee each week and the denominator is forty.

Amended  
ATM 2009

**Section 6.**

Amended  
ATM 2000

SMALL NECESSITIES LEAVE

MGL 149, 52D became effective on August 4, 1998 and requires employers with more than 50 employees to provide eligible employees 24 hours of unpaid leave time per year to accomplish certain activities with their children and elderly relatives. Eligible employees may take this "small necessities" leave in addition to the 12-week unpaid leave permitted under the Family and Medical Leave Act.

Eligible employees are those who have worked for their employer for at least one year and for 1,250 hours during the year preceding their scheduled "small necessities" leave.

The following activities qualify for "small necessities" leave:

- a. Participation in school activities directly related to the educational advancement of the employee's child (whether at public or private, primary or secondary schools, Head-Start programs or child-care facilities).
- b. Accompanying the employee's child to a routine medical or dental appointment such as a check-up or vaccination.
- c. Accompanying an elderly relative (one who is over 60 years of age and is related to the employee by blood or marriage) to routine medical or dental appointments.
- d. Employee appointments for professional services related to elder care, such as interviewing nursing or group homes.

If the need for leave time is foreseeable, the employee must provide at least seven days' notice. If it is unforeseeable, the employee should provide as much notice as is practicable.

Although the statute provides that "small necessities" leave is to be unpaid, employees may elect, or employers may require, that accrued vacation, personal, medical, or sick leave be used. Employers may require a "certification" from the employee substantiating the employee's need for the leave time.

#### **Section 7.**

Amended  
ATM 1987  
Amended  
ATM 1995

#### **UNPAID LEAVES OF ABSENCE**

An unpaid leave of absence may be granted by [the Department Head in consultation with the Board of Selectmen](#) [or the Library Board of Trustees, who-~~The Board of Selectmen~~](#) will consider, among other things, the provisions of the Family and Medical Leave Act.

#### **Section 7a.**

Amended  
ATM 2000  
Amended  
ATM 2009

#### **COURT APPEARANCES**

Unless appearing in Court on Town business or on Jury Duty, employees covered under this Plan, may use vacation or personal time or take unpaid leave for court appearances.

#### **Section 8.**

Amended  
ATM 1990  
Amended  
ATM 1993  
Amended  
ATM 1995  
Amended  
ATM 2002

#### **FAMILY AND MEDICAL LEAVE ACT (FMLA)**

All eligible employees, [as defined by the FMLA](#) will be entitled to 12 work weeks of unpaid leave in any 12 month period for the following reasons:

- a. Because of the birth, adoption or placement in foster care of a son or daughter;
- b. In order to care for a seriously ill spouse or partner, son, daughter or parent;
- c. Because of a serious condition that disables the employee from performing the functions of the employee's position. A son or daughter includes a biological, adopted, foster child, stepchild, legal ward, or child of a person standing as a parent, which is under 18 years of age or over 18 years of age and incapable of self-care because of a mental or physical disability. Entitlement to leave under ¶ a. above expires one year after the birth or placement of the son or daughter and cannot generally be taken on an intermittent or reduced leave basis. Leave to care for a seriously ill family member or because of an employee's own illness, may be taken intermittently or on a shorter work schedule, as the employee requests, and when medically necessary.

Amended  
ATM 2009

On return from FMLA leave, an employee is entitled to be returned to the same position the employee held when the leave commenced, or to an equivalent position with equivalent benefits, pay, and other terms and conditions of employment. An employee is entitled to such reinstatement even if the employee

Amended  
ATM 1993  
Amended  
ATM 1995

Amended  
ATM 2009

has been replaced or his or her position has been restructured to accommodate the employee's absence. An equivalent position is one that is virtually identical to the employee's former position in terms of pay, benefits and working conditions, including privileges, perquisites and status. It must involve the same or substantially similar duties and responsibilities, which must entail substantially equivalent skill, effort, responsibility, and authority. If an employee is no longer qualified for the position because of the employee's inability to attend a necessary course, renew a license, etc., as a result of the leave, the employee must be given a reasonable opportunity to fulfill those conditions upon return to work.

Such family and medical leave shall not affect the employee's right to receive vacation time, sick leave, bonuses, benefits, plans or programs for which the employee was eligible at the date of the leave, and any other advantages or rights of the employee's employment position; provided, however, that such family and medical leave shall not be included, when applicable, in the computation of such benefits, rights, and advantages. The Board of Selectmen may require that the employee use any or all vacation, sick, or personal leave.

## ARTICLE XII. BENEFITS

### Section 1.

Amended  
ATM 2002  
Amended  
ATM 2006  
Amended  
ATM 2008

Medical Insurance - The Town will continue to provide the following plans or their equivalents: an Indemnity Plan paid at fifty percent (50%) by the Town and an HMO plan paid at seventy-five percent (75%) by the Town.

### Section 2.

Amended  
ATM 2002

Group Life, Accidental Death, and Dismemberment Insurance - The Town will continue to provide the same insurance or its equivalent that is presently in effect and pay fifty percent (50%) of the premium for this insurance for the first ten thousand dollars coverage (\$10,000). The amount of coverage shall be a minimum of ten thousand dollars (\$10,000.00).

### Section 3.

Amended  
ATM 2002

Liability Insurance - The Town will continue to provide the Liability Insurance or equivalent that is presently in effect.

### Section 4.

Amended  
ATM 2002

Disability Insurance - The Town will continue to provide the Disability Insurance or equivalent that is presently in effect. The Town will continue to pay fifty percent (50%) of the premium for this insurance.

### Section 5.

Amended  
ATM 2002

Changed Benefits - In the event the Town changes benefits or terms relating to insurance, in excess of or more advantageous to the employees than those provided for in this Article, such benefits or terms shall prevail to the extent permitted by law.

### Section 6.

Amended  
STM 11/26/84

The Town will pay one-half the premium costs payable by a retired employee for Group Life Insurance and for Group General or Blanket Hospital, Surgical, Medical, Dental and other Health Insurance, as set forth in MGL Ch.32B§9A; provided the following eligibility conditions apply.

- a. The benefits named above are part of the Benefits Package offered to all eligible full-time employees.
- b. The retired employee is a member of Middlesex Retirement System, Massachusetts Teachers Association or any other retirement system recognized by the Town of Boxborough, and the employee meets the requirements for retirement as set forth by such system.

## ARTICLE XIII. LAYOFFS

- Section 1.** Amended ATM 2009 In the event that the Town shall determine that it must lay off employees of the Town for budgetary reasons, the Department Head shall notify the employee as soon as practicable.
- Section 2.** Amended ATM 2009 Trainee employees will be laid off first.

## ARTICLE XIV. DISCIPLINARY ACTIONS AND DISMISSAL

Entire Article replaced ATM 2003

- Section 1.** Statement of Responsibilities – It is the responsibility of all employees to comply with regulations necessary for the proper operation of the departments in the Town of Boxborough.
- Section 2.** Amended ATM 2009 Enforcement – Department Heads are responsible for enforcing these regulations and reporting problem situations to the Board of Selectmen or the Library Board of Trustees.
- Section 3.** Types of Disciplinary Action – Disciplinary action or measures shall include the following: Oral Reprimand, Written Reprimand, Disciplinary Probation, Suspension without pay, and/or Discharge. Such actions may begin at a level appropriate to the offense.
- Section 4.** Severity of Discipline – The disciplinary action as specified should be consistent with the seriousness of the offense or behavior involved.
- Section 5.** Reasons for Disciplinary Action – Disciplinary action may be imposed upon an employee for documented failure to fulfill his/her responsibilities as an employee. Examples of employee failure to fulfill his/her responsibilities as an employee include, but are not limited to:
- a. Willful violation of provisions of the Town Personnel Administration Plan.
  - b. Negligence in the care of Town property.
  - c. Habitual (in excess of allotted leaves) tardiness and/or absence from duty.
  - d. Refusal to perform a reasonable amount of compensated work after working hours when given advance notice of and directed to by his/her supervisor.
  - e. Insubordinate action or behavior that is perceived to violate generally accepted rules of conduct as befits an employee of the Town.
  - f. Under the influence of alcohol or a controlled substance while on duty, or in possession of alcohol or a controlled substance while on duty.
  - g. Conduct which reflects unfavorably upon the Town service.
  - h. Violation of any reasonable or official order or failure to carry out any lawful and reasonable directions made and given by a proper supervisor.
  - i. Any other instance or situation of such seriousness that disciplinary action is considered warranted.
  - j. Conviction of a felony.
- Section 6.** Amended ATM 2009 Reprimand Procedure – A Department Head who notes unsatisfactory job performance, or non-compliance with written regulations, may, if other discipline isn't warranted, issue an oral or written reprimand to the employee, including reason(s) for the reprimand, and an offer of assistance on the part of the Department Head in correcting the unsatisfactory situation. Oral reprimands shall be presented with maximum regard for minimizing embarrassment to the

employee before other employees or the public.

**Section 7.**

Disciplinary Probation

Amended  
ATM 2009

a. Placement on Disciplinary Probation – If oral or written reprimand fails to correct unsatisfactory job performance, or non-compliance with department regulations, an employee may be required to serve a maximum ninety (90) day disciplinary probation. Duration of the probation is at the discretion of the Department Head. The employee will receive a written notice stating reasons for the disciplinary probation and the effective date of such action. Disciplinary probation will be imposed where this action is not in conflict with requirements of current labor agreements.

Amended  
ATM 2009

b. Expiration of Disciplinary Probation – The expiration of disciplinary probation does not diminish the Department Head's right to consider an individual's overall work history when making decisions relating to discipline or discharge. When the employee's disciplinary probation expires, the Department Head will notify the Board of Selectmen or the Library Board of Trustees, in writing, that:

- 1) The employee's performance and behavior was satisfactory and that the employee be retained in his/her position, OR
- 2) The employee's performance and/or behavior remained unsatisfactory and that it is recommended that the employee be either suspended or discharged.

**Section 8.**

Amended  
ATM 2009

Suspension – At the discretion of the Department Head, with notification to the Board of Selectmen or the Library Board of Trustees, an unsatisfactory employee may be suspended without pay for a period or periods that will not exceed a total of thirty (30) days in any twelve-month period. Such suspension may be in lieu of disciplinary probation, or at the expiration of the disciplinary probation, depending upon the situation. The employee will receive a written notice stating reasons for the suspension and the effective date. At the end of the suspension period, and a reasonable observation period of no less than ninety (90) days, the Department Head will inform the Board of Selectmen or Library Board of Trustees of the employee's improved behavior/performance and his/her recommended retention of the employee, or of the employee's continued unsatisfactory behavior/performance, and his/her recommended discharge of the employee.

**Section 9.**

Discharge – An employee may be discharged either because he/she is unsatisfactory on the job or for violation of Town regulations. Prior to any employee's discharge both the Personnel Board Chair and the Board of Selectmen Chair should be consulted. Examples of employee actions which may result in immediate termination include, but are not limited to:

- Theft or dishonesty
- Assault or other violent behavior
- Falsification of records
- Intentional or malicious damage to Town property
- Violation of another person's civil rights
- Concealment of an error or omission of pertinent facts

**Section 10.**

Amended  
ATM 2009

Employee Appeal – The employee shall have the right to appeal his/her placement on disciplinary probation, suspension, or discharge at step 2 of the grievance procedure, and the case shall be handled in accordance with this procedure. Suspensions or discharges made during the initial training period or at the expiration of the initial training period are not appealable. A decision not to reappoint an individual whose term has expired is not a dismissal for purposes of [this plan the Plan](#) and is not subject to challenge.

**Section 11.** Documentation – All documentation related to oral and written reprimands and disciplinary actions shall be retained in the employee’s official personnel file. It is the Town’s policy not to remove any disciplinary documents from an official personnel file.

**ARTICLE XV. RESOLUTION OF COMPLAINTS**

**Section 1.** A grievance/complaint is defined as any dispute between an employee and the Town concerning the meaning, interpretation, or application of an express and specific provision of this document.  
Amended  
ATM 2002

**Section 2.** The following is the grievance procedure:  
Amended  
ATM 2002

**Informal Step:** The aggrieved employee shall take up the grievance with the Department Head, informally, within fourteen (14) calendar days of its occurrence. The Department Head shall attempt to [adjust address](#) the grievance after an informal meeting.  
Amended  
ATM 2009

**Step 1:** The aggrieved employee shall take up the grievance, in writing, with the Personnel Board. "In writing" shall mean that the grievance is detailed, and a cover sheet in the form of the COMPLAINT/GRIEVANCE FORM (per Attachment A) shall be generated within fourteen (14) calendar days from the date of the informal meeting required by the Informal Step. The Department Head must sign the form indicating that the Informal Step has occurred.  
Amended  
ATM 2009

The time clock for escalation of the grievance shall be started only by personal receipt of documents by the [Chairman](#) of the Personnel Board. The Personnel Board shall establish the dates for further escalation and shall attempt to adjust or settle the matter, and respond in writing within fourteen (14) calendar days from receipt by the [Chairman](#).

**Step 2:** If the grievance still remains unsettled, it shall be presented to the Board of Selectmen, or the Library Board of Trustees, in writing within fourteen (14) calendar days of the Personnel Board answer in Step 1. The Board of Selectmen, or the Library Board of Trustees, will have a hearing on the grievance within fourteen (14) calendar days of the receipt of the grievance and shall respond, adjust, or settle the matter, in writing, within fourteen (14) calendar days from the date of the hearing.  
Amended  
ATM 2009

**Section 3.** Any grievance that is not pursued in accordance with the time limits specified herein, or as extended by mutual agreement, is deemed waived. The parties may, by mutual agreement in writing, extend the time limits referred to in this Article.  
Amended  
ATM 2002

**Section 4.** No grievance based on an event or condition that occurred or existed prior to the acceptance of this article may be the subject of a grievance.  
Amended  
ATM 2002

**Section 5.** The failure of the employee to file a grievance, or the decision of the employee not to file a grievance, in one or more instances, shall not be deemed to be a waiver if an employee chooses to file a grievance in any other instance or instances.  
Amended  
ATM 2002

**ARTICLE XVI. COMPENSATION FOR POSITIONS**

Renumbered

ATM 2009

**Section 1.**

Amended  
ATM 1981  
Amended  
ATM 2002  
Amended  
ATM 2009

The Compensation of Positions per the Schedule ~~B~~ establishes the position categories, the wage rates, and the step increments. Regular Full-time, Part-time and Reduced Hours Employees shall be eligible for step increase the following July 1, subject to a performance review of at least “meets requirements” during the employment anniversary month of each employee.

**Section 2.**

Amended  
STM 10/5/87  
Amended  
ATM 2002  
Section Deleted  
ATM 2009

**ARTICLE XVII. PERFORMANCE REVIEWS**

Amended  
ATM 2000  
Renumbered  
ATM 2009

**Section 1.**

INTENT

The employee performance review is intended to:

- a. Provide a method of improving the effectiveness and efficiency of the individual.
- b. Serve as a conduit for communication and feedback outside of routine daily interactions.
- c. Provide a means of reflecting upon, summarizing, and quantifying performance.
- d. Provide a process for establishing goals and objectives.
- e. Provide a basis for formal personnel decision making.
- f. Serve as a basis for recognizing accomplishments and needs for guidance, development, training, and support.

**Section 2.**

Amended  
ATM 2002

ADMINISTRATIVE PROCEDURES

The Department Head, with input from any Boards or Committees directly supported by the employee, shall review performance at the end of the initial training period and annually thereafter.

Amended  
ATM 2009

Performance shall be reviewed on an Employee Evaluation Form that directly correlates to the respective job description for each employee. Attendance, promptness, performance, and length of service shall be considered in making recommendations. A written evaluation of at least “meets requirements” shall entitle an employee to a one-step increase until the maximum step of the class has been reached.

Amended  
ATM 2009

Upon completion of the evaluation, the Department Head will review the appraisal with the Employee and if appropriate will forward a Pay Change Request to the Town Accountant and Treasurer for implementation. All pay changes shall conform to contractual obligations and/or the approved Personnel Administration Plan, including ~~Schedules A and B~~ the Schedule.

After discussing the review with the Department Head, the employee must sign the evaluation form indicating that the employee has seen the evaluation.

The completed evaluation form is then returned to the Town Administrator for filing in the employee’s file. Employees and Department Heads are encouraged to keep copies of the evaluation if they choose.

**Section 3.**  
Amended  
ATM 2002

**Ratings**

- 1. Superior:** This rating is for the employee who consistently goes beyond the job description. He/she works in a timely fashion and his/her performance is clearly exceptional in comparison to expectations. This employee consistently exceeds goals and provides innovative ideas contributing to the success of the department.
- 2. Good:** This rating applies to the employee who completes the tasks required for the position and at times goes beyond the requirements. This employee always meets performance expectations and frequently exceeds expectations for several responsibilities. This employee contributes to reaching new levels of department productivity.
- 3. Meets Requirements:** This rating applies to the employee who does only the work required for the position. This employee meets performance expectations for all responsibilities and goals, is successful, and performs in a competent manner. This employee is recognized as an asset to the department. This is the expected and usual rating for most employees.
- 4. Needs Improvement:** This rating applies to the employee who does not complete all of the tasks required by the position. This employee meets performance expectations for some responsibilities and goals. Other responsibilities of this employee may require extra direction by the Department Head, or the Department Head may find it necessary to avoid assigning the more difficult tasks to the employee. When using this rating the Department Head indicates if there are other factors that should be considered.
- 5. Unsatisfactory:** This rating applies to the employee who fails to do what is expected and is not fulfilling his/her responsibilities. Performance is below acceptable levels for one or more major responsibilities. This employee requires counseling and must understand that improved performance, within a prescribed period, is a condition for continued employment. When using this rating the Department Head indicates if there are other factors that should be considered.

The annual rating should never come as a surprise to the employee. Ratings 4 and 5 above may not be used unless prior, documented, discussions of the issues have been held between the Department Head and the employee.

**ARTICLE XVIII. MANAGEMENT RIGHTS**

Amended  
ATM 2002  
Renumbered  
ATM 2009

**Section 1.** This Personnel Administration Plan is not intended to violate any ~~Federal, State, County or Municipal Laws~~ federal, state, county or municipal laws, nor shall anything in this document be interpreted as diminishing the right of the Town to determine and prescribe the methods and means by which its operation of the ~~Departments~~ departments shall be conducted, except as may otherwise be provided in this document.

**Section 2.** The Town shall exercise the customary rights and responsibilities of the management of Town ~~Departments~~ departments. The Town shall have the

exclusive right to manage the Town ~~Departments~~ departments, to direct the working forces, to contract and sub-contract, to determine the operations, the methods, the processes and procedures, the schedules and work assignments. The Town has the right to hire, layoff, promote, demote, transfer, assign, discipline or discharge, maintain discipline, and require the observance of the Town's reasonable rules and regulations. The Town may dismiss any employee with or without cause, as long as the dismissal does not violate state or federal law. The Town may dismiss any employee with an overall performance rating below "meets requirements" if the rating has not been remedied to "meets requirements" in six (6) (6) months. The Town may relieve employees from duty because of lack of work or or other proper reasons. The Town has the exclusive and sole right to determine and maintain equitable standards of performance, and to attain and maintain efficiency.

**Section 3.** The failure of the Town to exercise, or the decision of the Town not to exercise, any of its management rights in one or more instances, shall not be deemed to be a waiver by the Town if it chooses to enforce the right or rights in any other instance or instances.

#### **NOTES:**

- MISCELLANEOUS PROVISIONS (Formally Article XVI) was removed, ATM 2009. Section 1 is now Article III §10; Section 2 is now Article VI § 2b.
- AFFIRMATIVE ACTION POLICY (Formally Article XIX) was removed to the Employee Handbook, ATM 2009.
- ALCOHOL AND DRUG FREE WORKPLACE POLICY (Formally Article XX) was removed to the Employee Handbook, ATM 2009.
- HARASSMENT POLICY (Formally Article XXI) was removed to the Employee Handbook, ATM 2009.
- HIRING POLICY (Formally Article XXII) was removed to the Employee Handbook, ATM 2009.

**ATTACHMENT A: COMPLAINT/GRIEVANCE FORM**

**Town of Boxborough  
Complaint/Grievance Form**

Statement of grievance (including a summary and the date of occurrence):

Article & Section reference from Contract or Personnel Administration Plan:

Statement of Remedial Action Sought:

Supporting Evidence (list of enclosures):

Submitted by:

\_\_\_\_\_  
Signature of Aggrieved

\_\_\_\_\_  
Date

Step	Procedural Recipient	Procedural Date of Escalation	Aggrieved's Signature	Date/Time Submitted	Recipient's Signature	Date/Time Received
Informal	Department Head	(14 cal. days)				
Step 1	Personnel Board	(14 cal. days)				
Step 2	BOS/Library Board of Trustees	(14 cal. days)				
Step 2b	BOS/Library Board ruling	(30 cal. days)				

Amended ATM 2009

FY 2016 Proposed Classification and Compensation Plan

**REGULAR FULL-TIME, REDUCED AND PART-TIME EMPLOYEES**

GRADE	POSITIONS	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7	Step 8	Step 9
16	No Positions	71,798.85	73,593.82	75,433.67	77,319.51	79,252.50	81,233.81	83,264.66	85,346.27	87,479.93
15	Inspector of Buildings	65,275.59	66,907.48	68,580.16	70,294.67	72,052.03	73,853.33	75,699.67	77,592.16	79,531.96
	Information Systems Coordinator									
	<i>Police Lieutenant</i>									
	Town Accountant									
	Town Assessor									
	Town Planner									
Town Treasurer										
14	Tax Collector	56,091.18	57,493.46	58,930.80	60,404.07	61,914.17	63,462.03	65,048.58	66,674.79	68,341.66
	Town Clerk (Elected)									
13	Council on Aging Coordinator	25.84	26.48	27.14	27.82	28.52	29.23	29.96	30.71	31.48
	(DPW) Foreman									
12	Conservation Agent	22.66	23.23	23.81	24.40	25.01	25.64	26.28	26.94	27.61
	Youth Services Librarian									
11	Department Assistant	20.04	20.54	21.05	21.58	22.12	22.67	23.24	23.82	24.42
	DPW Worker									
	IT Support Technician									
	Technical Services Librarian									
10	Bldgs/Gnds Main Worker	19.40	19.89	20.39	20.89	21.42	21.95	22.50	23.06	23.64
	DPW Semi-Skilled									
	Senior Library Assistant									
	Transfer Station Operator									
9	Library Assistant	17.64	18.08	18.53	18.99	19.47	19.95	20.45	20.96	21.49
8	Van Dispatcher	16.03	16.43	16.84	17.26	17.70	18.14	18.59	19.06	19.53

FY 2016 Proposed Classification and Compensation Plan

**PER DIEM AND INTERMITTENT EMPLOYEES**

<b>Hourly</b>		
CIT	9.00	eff 1/1/16, \$10**
Intern (Town Hall)	9.00	eff 1/1/16, \$10**
Junior Library Page	9.00	eff 1/1/16, \$10**
Library Page	9.25	eff 1/1/16, \$10.25**
Counselor	10.00	eff 1/1/16, \$10.50**
Election Workers	10.48	
Asst. Animal Control Officer - Dogs & Cats	10.93	4 hr min call
Laborer - Cemetery	11.26	
Clerk of Elections	12.12	
Media Production Technician	12.69	
Seasonal Conservation Officer	12.81	
Lead Counselor	13.01	
Van Driver	13.97	
Seasonal Maintenance Worker	14.26	
Lock Up Attendant	15.37	
Part Time Dispatcher	17.33	
Fire Department Chaplain	17.63	
Firefighter/EMT	17.64	
Special Police Officer	17.64	
Substitute Librarian	17.64	
Gym Director	19.05	
Winter Recreation Director	19.05	
Fire Lieutenant	19.40	
Summer Recreation Director	19.53	
Animal Ctl Officer	20.04	
Fire Captain	20.04	
Veterans Services Officer	20.04	
Snow Plow Operator	22.49	
Deputy Fire Chief	22.66	
Cemetery Superintendent	22.66	
Asst. Building Inspector	26.85	
Call Building Inspector	31.26	
Call Fire Chief	43.54	
<b>Stipends (Annual)</b>		
Fence Viewer	40.00	
Field Driver	45.00	
Registrar Member	270.12	
Registrar Chairperson	900.34	
Animal Inspector	987.74	
<b>Fees-based</b>		
Wiring Inspector	\$50,000 cap/yr	
Plumbing & Gas Inspector	\$15,000 cap/yr	
Fee max is 1% of FY 15 levy (or \$162670)		

\*\* Massachusetts minimum wage increases on January 1, 2016

FY 2016

Personal Contracts							
Position	Contract Expiry Date			FY 2015	FY 2016		
DPW Director	Contract expires 6/30/17			\$ 82,812.00	\$ 82,812.00		
Fire Chief	Contract expires 8/31/18			\$ 93,378.00	\$ 97,113.00		
Library Director	Contract expires 6/30/16			\$ 76,583.00	\$ 80,000.00		
Police Chief	Contract expires 6/30/17			\$ 115,000.00	\$ 117,750.00		
Town Administrator	Contract expires 9/30/16			\$ 105,000.00	\$ 108,500.00		
Positions Governed by CBA's (still in negotiations at time of going to press)							
Position							
Police Sergeant (Steps 1-3)	TBD	TBD	TBD				
Police Officer (Steps A1/A2-F)	TBD	TBD	TBD	TBD	TBD	TBD	TBD
Fire Lieutenant (Step A)	TBD						
Firefighter/EMT (Steps A-F)	TBD	TBD	TBD	TBD	TBD	TBD	
Dispatch Supervisor (Steps A-F)	TBD	TBD	TBD	TBD	TBD	TBD	
Dispatcher (Steps A-F)	TBD	TBD	TBD	TBD	TBD	TBD	
Elected Officials							
Position	FY 2015			FY2016			
Selectman	\$ 400.00 annually			\$ 400.00 annually			
Board of Health Member	\$ 166.67 annually			\$ 166.67 annually			
Planning Board Member	\$ 109.00 annually			\$ 109.00 annually			
Library Trustee	\$ - annually			\$ - annually			
Moderator	\$ - per meeting			\$ - annually			
Constable	\$ 3.00 /warrant posted/location			\$ 3.00 /warrant posted/location			
Town Clerk	\$ 43,258.91 (Grade 14-7)			\$ 45,005.48 (Grade 14-8)			