



Hiring Policy

PERSONNEL Board

Town of Boxborough, MA

Intent and Purpose

This policy sets forth the minimum standards and procedures for all municipal hires, including temporary, per diem and intermittent employees. The appropriate hiring authority may add further requirements.

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Definitions

For the purposes of this document, **Department Head** includes the following positions: Town Administrator, Chief of Police, Fire Chief, Director of DPW, and Library Director.

Exempt

Exempt employees are Administrative, Executive, and Professional employees, as defined by the Fair Labor Standards Act and are not entitled to overtime pay.

Non-exempt

Non-exempt employees are defined by the Fair Labor Standards Act. They are eligible to receive overtime pay after 40 hours per week worked.

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BSB approved 01/10/2011, revised 11/18/2019

Policy

Advertising for Open Positions

All positions shall be posted or advertised at least one time, with the subsequent time for submission of applications being a minimum of two weeks.

The Town Administrator or their designee shall review the form and legality of all ads before they are published.

Department Heads shall post announcements of all open positions on the bulletin boards in all Town buildings and on the Town's website.

Application Review

With the exception of those applying for a per diem, intermittent, or temporary position, all applicants must submit a resume. All applicants shall complete and sign a standard Town of Boxborough application form appropriate to the position.

The Select Board may ask to review any applications for positions not appointed by the Select Board with the exception of those positions appointed by the Library trustees.

The Department Head shall check applications for completeness and accuracy. The applicant must provide signed authorization on forms provided by the Town permitting the Town to request recommendations, perform background checks, and receive the results of physical tests required for the position.

In the job description, the Select Board or Library Trustees and in conjunction with Personnel Board shall establish the minimum education and training level for each position. The Department Head shall screen all applications to ensure that the applicant meets these minimum standards. The Department Head will then review and process applications that have met the initial screening requirements. When the Town is searching for a new Department Head, the Select Board will establish the appropriate screening procedures and will establish search/screening committee(s) as the Board deems necessary.

Conflict of Interest and/or Appearance of a Conflict

The Conflict of Interest law Chapter 268A of the Massachusetts General Laws requires that municipal employees act in the public interest rather than for private gain. A municipal official is prohibited from participating in any particular matter affecting the financial interest of an "immediate family member." As defined in the statute, "immediate family member" refers to the employee, employee's spouse or partner, and their parents, children, brothers, and sisters. The purpose of the broad prohibition against acts of nepotism is to prevent potential conflicts or the appearance of favoritism which may arise whenever a public official's personal loyalty to a family member competes with the need to make objective personnel decisions.

Beyond the scope of the conflict of interest law, the policy of the Select Board is that the Town, through its officials, shall not hire any employee as a favor to anyone, or follow a hiring process if the hire has the appearance of being a favor.

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Any participant in the interview process shall provide full disclosure when interviewing or hiring an applicant with whom the participant has had or currently has a relationship. A Department Head shall also inform the Board of any friendship between the Department Head and the applicant, or the applicant's family members. In all cases where there is an appearance of a conflict or favoritism, the Department Head shall make a written disclosure to the Select Board during the preliminary application phase. In those cases, the Board shall make the final determination on the hire. Applicants and Department Heads shall not attempt to hide any friendship or relationship. If an employee is hired without such disclosure by the Department Head or the new employee, such action shall be grounds for disciplinary action against both parties.

Interviewing

All interviews and hiring shall be performed at a Town building and in compliance with all applicable statutes and bylaws, including the Open Meeting law, the Americans with Disabilities Act (“ADA”), the Americans with Disabilities Amendments Act of 2008 (“ADAAA”), and the Town’s Equal Employment Opportunity and Affirmative Action Policy.

If requested by the Select Board, one or more of the Personnel Board members may participate in the screening and/or the interview process.

Hiring Decisions

The specific requirements for each position are set forth in the job description for that position. Hiring decisions and appointments shall include but not be limited to: education and experience, knowledge, ability and skills, recommendations, completed reference checks, background checks, and, in some cases, testing for psychological and physical fitness for employment testing, proof of special licenses, and proof of specific skills and training. A new employee’s application information will be kept in the employee’s personnel file.

Immigration Law Compliance

In order to comply with the Immigration Reform and Control Act of 1986, each new employee, as a condition of employment, must complete the Employment Eligibility Verification Form I-9 and present documentation establishing identity and employment eligibility. Former employees who are rehired must also complete the Form if they have not completed an I-9 with the Town of Boxborough within the previous three years, or if their previous I-9 is no longer retained or valid.

Offer and Appointment

Pursuant to G.L. c. 4 S7 2(A), the Select Board is the appointing authority for all Town positions excluding those under the purview of the Library Trustees, and pursuant to MGL 48 S42 (the Strong Fire Chief Statute). The Select Board may delegate appointing authority to the Town Administrator for Town Hall and DPW non-exempt positions.

An employment offer falls into one of three categories: a regular, full time, 40-hour week; reduced time of between 20 and 40 hours a week; and part time of less than 20 hours a week.

When the Select Board is responsible for appointing an employee, the Department Head shall provide the Town Administrator with application and background material for the Select Board to review prior to Select Board meetings to consider or interview applicants.

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When the Town is searching for a new Department Head, the search/screening committee shall provide the Select Board with application files, including such requirements as proof of degrees, course curriculum, and any other certifications.

Before offering benefits to a prospective employee, the Department Head (or in the event of a Department Head hiring, the Town Administrator, or the TA's designee) shall review with the Town Treasurer the benefit eligibility of the prospective employee.

The Department Head (or in the event of a Department Head hiring, the Town Administrator, or the TA's designee) shall send a written offer letter, including salary and benefits information, to a successful applicant. Should the applicant accept the offer, a copy of the letter shall be placed in the employee's personnel file.

When the position is filled, the responsible Department Head shall send letters to the non-successful applicants thanking them for their interest in the position.

Post Offer – Physical Exam and Drug Screening

An offer of employment for a regular full time (40 hours per week), reduced hours (20-40 hours per week), or part time (less than 20 hours per week) employees, is contingent on passing a pre-employment physical exam and a drug test.

The examining physician shall be appointed by the Town Administrator or the TA's designee, and the associated costs shall be paid by the Town. The Town shall provide the examining physician with the relevant job description. The examining physician shall advise the Town Administrator or the TA's designee whether the applicant is physically qualified to perform the essential functions of the job. The examining physician's report shall be confidential.

Post Offer – CORI

The appropriate Department Head will perform a CORI check on each new employee, including per diems, intermittent and temporary employees. For specific details, refer to the CORI policy.

Post Offer – Other

After all testing is satisfactorily completed, the hiring package shall be completed by the Department Head, the Town Administrator, or their designee. All completed forms for taxes and benefits as well as other forms shall be returned to the Town Treasurer.

The Department Head, the Town Administrator, or their designee, shall again review with the Town Treasurer eligibility of the hire for benefits.

The Department Head, the Town Administrator, or their designee shall provide all new hires with the Employee Handbook, the applicable collective bargaining agreement or Personnel Plan, and job the description. The new hire shall acknowledge receipt of these documents in writing, and such acknowledgement shall be placed in the employee's personnel file. In preparation for benefits enrollment, the Department Head, the Town Administrator, or their designee shall provide the new

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hire with a New Employee Information Package, enabling the employee to gather all records needed for enrollment prior to meeting with the Town Treasurer to complete all necessary enrollment forms.

Probationary Period

For those whose employment requires a **six-month** training period, the Department Head shall complete a written performance evaluation at three months and after five and one-half months.

For those whose employment requires a **12-month** training period, the Department Head shall complete a written performance evaluation at three months and after nine months, with a final recommendation to be made at 11 and one-half months.

This policy revokes and replaces all previous policies on this topic approved by the Personnel Board on 12/16/2010 and by the Select Board on 01/10/2011.