



TOWN OF WILBRAHAM
240 Springfield Street
Wilbraham, Massachusetts 01095

Administrative Policies

Effective

September 14, 2010

Amended August 13, 2012

Amended June 23, 2014

The policies in this manual are designed to guide administrative personnel and supervisors in the implementation of employment related matters. They may pertain to bargaining unit and non-bargaining unit employees.

CONTENT	PAGE
CORI (POLICY ON CRIMINAL OFFENDER RECORD INFORMATION).....	3
EMERGENCY SITUATIONS AND FACILITIES CLOSINGS.....	7
HIRING POLICY.....	8
JOB DESCRIPTION REVIEW AND POSITION CLASSIFICATION	12
REFERENCES CHECKS AND VERIFICATION OF EMPLOYMENT	16
REMOTE PARTICIPATION POLICY	19
VISITORS IN THE WORKPLACE	17
VOLUNTEER POLICY	
WORKER'S COMPENSATION POLICY.....	18

POLICY ON CRIMINAL OFFENDER RECORD INFORMATION (CORI) REPORTS

Several Departments of the Town of Wilbraham have been certified by the Criminal History Systems Board (CHSB) as an agency to conduct inquiries into the Criminal Offender Record Information database for purposes of performing criminal background checks of individuals who may be applicants for employment, volunteer work or certain licenses.

CORI checks can only be performed by employees and appointed officials of the town who have a legitimate reason to access this information and who have completed the "*Criminal Offender Record Information Individual Agreement of Non-Disclosure and Statement of CORI Certification Compliance*". The certification will be limited to the extent authorized by the CHSB. Individuals who apply but are determined inappropriate to access CORI information will be notified by the CHSB. Additionally, applications for new, expanded or renewal of CORI applications will require the applicant attend a CORI training session.

CORI checks may be performed according to the provisions of the Massachusetts General Laws Chapter 6, §§ 169 through 178B, in compliance with the Regulations by the CHSB 803 CMR 2.00-9.00 et seq. effective June 30, 2005. For the Town of Wilbraham, this is relevant for certain candidates for employment as well as volunteers of summer camps and recreation programs, who, for instance, have the potential for unmonitored access to children.

All certified individuals who receive CORI information as representatives of the town, will follow these practices and procedures:

1. CORI checks will obtain information required by the CHSB on the CORI request form including but not limited to full name, date of birth, ID Theft Number (if applicable), mother's maiden name, place of birth, sex, former addresses, height, weight, eye color and may request the applicant's social security number, in order to assure that the distribution of CORI relates to the individual for whom the request has been made.
2. In order to obtain a CORI check on an applicant, the certified individual will:
 - (a) confirm that the Town of Wilbraham is currently certified to perform a CORI check on the current or otherwise qualified applicant under its grant of certification from the CHSB;
 - (b) use the form prescribed by the CHSB;
 - (c) obtain the signature of the individual upon whom the CORI check is being performed, except as otherwise authorized by law;
 - (d) verify the identity of the applicant upon whom the CORI check is being requested with at least one form of government issued photographic identification; or a birth certificate or social security number; in instances where the applicant cannot appear in person a clear copy of the photographic ID should be submitted with the CORI request form.
 - (e) maintain a copy of the CORI request form.
3. CORI checks will only be conducted as authorized by CHSB. All applicants will be notified that a CORI check will be conducted. If requested, the applicant will be provided with a copy of the CORI policy.
4. An informed review of a criminal record requires adequate training. Accordingly, all personnel authorized to review CORI in the decision making process will be thoroughly familiar with the educational materials made available by CHSB (see attached).

5. Unless otherwise provided by law, a criminal record will not automatically disqualify an applicant. Rather, determinations of suitability based on CORI checks will be made consistent with this policy and any applicable law or regulations.
6. If a criminal record is received from CHSB, the authorized individual will closely compare the record provided by CHSB with the information on the CORI request form and any other identifying information provided by the applicant, to ensure the record relates to the applicant.
7. If the Town of Wilbraham is inclined to make an adverse decision based on the results of the CORI check, the applicant will be notified immediately. The applicant will be provided with a copy of the criminal record and the town's CORI policy, advised of the part(s) of the record that make the individual unsuitable for the position or license, and given an opportunity to dispute the accuracy and relevance of the CORI record.
8. Applicants challenging the accuracy of the record shall be provided a copy of CHSB's *"Information Concerning the Process in Correcting a Criminal Record"*. If the CORI record provided does not exactly match the identification information provided by the applicant, the Town of Wilbraham will make a determination based on a comparison of the CORI record and documents provided by the applicant. The Town of Wilbraham may contact CHSB and request a detailed search consistent with CHSB policy. Applicants who believe their CORI may be related to the fact that they were victim of identity theft should follow the procedure outlined by CHSB to establish themselves as victims of identity theft for purposes of CORI.
9. If the Town of Wilbraham reasonably believes the record belongs to the applicant and is accurate, based on the information as provided in section 6 of this policy, then the determination of suitability for the position or license will be made. Unless otherwise provided by law, factors considered in determining suitability may include, but are not limited to the following:
 - (a) Relevance of the crime to the position or license sought;
 - (b) The nature of the work to be performed;
 - (c) Time since conviction;
 - (d) Age of the candidate at the time of the offense;
 - (e) Seriousness and specific circumstances of the offense;
 - (f) The number of offenses;
 - (g) Whether the applicant has pending charges;
 - (h) Any relevant evidence of rehabilitation or lack thereof;
 - (i) Any other relevant information, including information submitted by the applicant or requested by the hiring or licensing authority.

The Town of Wilbraham will notify the applicant of the decision and the basis of the decision in a timely manner.

For more information you may contact the CORI Unit of the Criminal History Systems Board at 200 Arlington Street, Suite 2200, Chelsea, MA 02150, by calling (617) 660-4640 or by visiting their website at <http://www.mass.gov/chsb/cori/cori.html>.

INFORMATION CONCERNING THE PROCESS IN CORRECTING A CRIMINAL RECORD

1. If you have undergone a background check by an agency that has received a criminal record from the Criminal History Systems Board ("CHSB"), you may ask the agency to provide you with a copy of the criminal record. You may also request a copy of your adult criminal record from the Criminal History Systems Board, 200 Arlington Street, Suite 2200, Chelsea, MA 02150 by calling (617) 660-4640 or go to <http://www.mass.gov/chsb/cori/cori/html>.
2. The CHSB charges \$25.00 fee to provide an individual with a copy of his/her criminal record. You may complete an affidavit of indigence and request that the CHSB waive the fee.
3. Upon receipt, review the record. If you need assistance in interpreting the entries or dispositions, please review the disposition code and "how to read a BOP" on the CHSB website www.mass.gov/chsb/cori/cori_bop.html. The CHSB does not offer "walk-in" service but you may call our Legal Division at (617) 660-4760 for assistance or the CARI Unit of the Office of the Commissioner of Probation at (617) 727-5300.
4. If you believe that a case is opened on your record that should be marked closed, you may contact the Office of the Commissioner of Probation CARI Unit at (617) 727-5300 for assistance, or you may go to the Probation Department at the court where the charges were brought and request that the case(s) be updated.
5. If you believe that a disposition is incorrect, contact the Chief Probation Officer at the court where the charges were brought or the CARI Unit at the Office of the Commissioner of Probation and report that the court incorrectly entered a disposition on your criminal record.
6. If you believe that someone has stolen or improperly used your identity and were arraigned on criminal charges under your name, you may contact the Office of the Commissioner of Probation CARI Unit or the Chief Probation Officer in the court where the charges were brought. For a listing of courthouses and telephone numbers please see www.mass.gov/chsb/cori/coricodecourt.html.
7. In some situations of identity theft, you may need to contact the CHSB to arrange to have a fingerprint analysis conducted.
8. If there is a warrant currently outstanding against you, you need to appear at the court and ask that the warrant be recalled. You cannot do this over the telephone.
9. If you believe that an employer, volunteer agency, housing agency or municipality has been provided with a criminal record that does not pertain to you, the agency should contact the CORI Unit for assistance at (617) 660-4640.

Criminal Offender Record Information ("CORI")
Individual Agreement of Non-Disclosure and Statement of CORI Certification Compliance

I understand that any person who willfully requests, obtains or seeks to obtain criminal offender record information (CORI) under false pretenses, or who willfully communicates or seeks to communicate CORI to any agency or person except in accordance with the provisions of M.G.L. c. 6, §§168 through 178B, inclusive, shall for each offense be fined not to exceed five thousand dollars (\$5,000.00), or imprisoned in a jail or house of correction for up to one year, or both and/or may be ordered by the Criminal History Systems Board to pay civil fines not to exceed five hundred (\$500.00) for each willful violation.

I understand that CORI certification authorizes me to only request, access, and review CORI to the extent authorized by the CHSB. The extent of the certification will be included in the agency's CORI certification letter and I agree to read, understand, and request CORI only for those individuals for which the CHSB has granted certification.

I have reviewed, understand and agree to comply with the CHSB audit guidelines that are available at www.mass.gov/chsb. I agree to store and disseminate CORI consistent with these guidelines.

I understand how to read and interpret a CORI report and have reviewed the information provided by the CHSB entitled "How to Read a BOP" that is available at www.mass.gov/chsb. I agree to provide all applicants with a copy of their CORI upon request so they may review it.

I understand that all agencies certified to access CORI are required to maintain an agency CORI policy and will review the Model CORI policy that is available at www.mass.gov/chsb.

I also understand that a criminal record check will be conducted on me by the Criminal History Systems Board as a prerequisite to my having authorization for access to CORI. You will only be notified if you are determined inappropriate to access CORI.

Signed this _____ day of _____, 20_____
Signature _____

Last name First name Middle initial

Maiden Name Alias

Date of Birth (MM/DD/YY) Social Security Number (requested but not required)

Job Title Driver's License # State

Agency/ Business Agency Code (if previously certified)

Address

This document is to be completed by ALL persons employed by, contracted with, or otherwise operating in association with the herein named agency, and who may have access to CORI.

EMERGENCY SITUATIONS AND FACILITY CLOSINGS

Whenever possible Town facilities will remain open during regular business hours during snowstorms and other inclement weather, and will be closed only during extreme conditions. Expected Forecast or unforeseen emergencies or catastrophes such as including severe weather (i.e. hurricane, blizzard, floods), fires, power failures, acts of terrorism or military acts, criminal actions (i.e. bomb threats) and earthquakes can disrupt Town operations. In these cases, circumstances may require the closing of one or more a work facilitiesy or the altering of opening or closing schedules.

In the event such an emergency occurs during regular business hours, the Town Administrator will make a determination that the Town's facilities and services (other than police, fire and DPW) are closed and non-essential (i.e., clerical and administrative) personnel are not required to report to work. Information about closures will be broadcast on the town's website at www.wilbraham-ma.gov, on Wilbraham Public Access Channel 5, as well as television stations WGGB (Channel 40) and WSHM (Channel 3). Department heads are responsible for ensuring all staff members in their department are informed of facility closings or altered business hours or any other emergency measures.

In the event that such an emergency occurs during non-working hours, notice that any town facility including the Town Office Building, Library, Senior Center, Fire Department, Police Department, Public Access Television Station, Public Works Building, Disposal and Recycling Center or locations of Sport and Recreation Programs will be closed for any length of time, or business activities may have to be moved to a different location, will be broadcast as described above.

When operations of a work facility are officially closed due to emergency conditions, employees shall be paid for scheduled work hours. (Employees who are not scheduled to work will not be compensated). Employees who were scheduled to use accrued paid time off will use their accrued time off as planned.

Essential public safety operations employees, including but not limited to Fire, Police, Emergency Dispatch, Information Technology and the Department of Public Works may be expected to willwork during hourson days when operations at other facilities are officially closed. All other employees may be asked to work their regular shifts and/or additional hours on days when the services they perform in their regular positions are needed to provide essential services to the public.

(Personnel Adv Board: May 16, 2001; December 1, 2004; Board of Selectmen: November 15,2004)

HIRING POLICY

I. PURPOSE

The Board of Selectmen is setting formal policy to meet the Town of Wilbraham's primary hiring objective of finding the most qualified candidate for any job opening in the shortest amount of time using a consistent, repeatable and non-discriminatory selection process. Changes in the modern work environment, including fluctuations in the labor market, a culturally diverse workforce, and new employment and personnel laws in an increasingly litigious society, necessitate a standardized professional hiring process. A productive work force is the backbone of any successful organization. The Town is committed to its obligation to afford equal

opportunity in employment for all applicants and employees. The Town is equally committed to sound business practices and the judicious use of financial resources.

II. SCOPE

This policy applies to all hires of employees who will receive compensation for work and/or services performed for the Town, in all categories including, but not limited to: full-time and part-time hires and appointments, regular and flexible, temporary/seasonal and non-temporary, exempt, non-exempt, uniformed uniformed, grant-funded and town-funded, union and non-union, and all town officials who receive compensation and are not elected by popular vote or Town Meeting vote. The Assistant Town Administrator functions as the Town of Wilbraham's Human Resources Manager and oversees the hiring process for each hiree. All department heads, elected and appointed officials, whether compensated or uncompensated, are directed to follow this policy and consistently work under the direction of the Assistant Town Administrator to ensure equal opportunity and equal process for all applicants and to protect the Town of Wilbraham from liability in its hiring and employment practices.

Guidelines: The Town Administrator may establish guidelines from time to time to carry out the Hiring Policy.

III. PROCESS

A. Decision to fill a vacancy

At the time a position becomes vacant, or in order to evaluate the need for new positions, department heads must evaluate the need to fill an opening in their department by first considering redistributing work among existing employees and/or automating/streamlining procedures and work flows to accommodate service delivery needs. The department head must forward a written request to hire or promote any person(s) to the Assistant Town Administrator using the Authorization to Hire/Promote form detailing the following information:

1. New position or vacated position (name of previous incumbent if applicable).
2. Job title.
3. Hours per week.
4. Permanent or Temporary (if temporary, state beginning and end of employment period).
5. Pay rate (per hour or annual). (starting rate or hiring range)
6. If and how budgeted (line item, etc.).
7. Determination of need, with explanation.
8. A draft position description for any newly proposed positions.

All requests will be forwarded for approval to the Town Administrator. All hires are subject to final approval by the Board of Selectmen.

B. RECRUITMENT

1. Internal Posting

The Town of Wilbraham will post all vacancies for a period of not less than five business days at all employee locations including the Town Office Building, Senior Center, Recreation Department, Library, DPW Building, Police Department, Fire Department, and Public Access Television Station. The internal posting allows employees to apply for positions prior to any outside advertising to allow for promotional opportunities. Employees who are interested must apply in writing within the posting period.

In considering employees for vacant positions, the employee's qualifications and ability to perform the essential functions of the position (with or without reasonable accommodation) will

be the primary factor. Other factors include experience and length of service and work history, including performance and attendance record. Applicants who are not selected, who request information about why they were not selected, should be directed to the Assistant Town Administrator for that information.

The internal posting (see Internal Posting form) will state:

1. Date of posting.
2. Job title.
3. Salary/Wages (hiring range or starting rate).
4. Hours of work.
5. Location.
6. Job duties.
7. Minimum and desired qualifications.
8. Closing date for applications.
9. Person to whom the applications should be made (i.e., Assistant Town Administrator).

If a vacancy is filled by a qualified employee, and as a result a vacancy occurs that is intended to be filled, the hiring process begins again at Step A. for the new vacancy created by the employee who is hired into another position.

2. External Advertising

The Town of Wilbraham advertises all vacancies in the *Sunday Republican* and the local weekly publication *Wilbraham-Hampden Times*. The Town may select additional local and regional news publications to reach an adequate candidate pool including job and industry specific publications. The Town will generally allow a *minimum* of two (2) weeks time between the date of the last date of publication and the deadline for applications. The department for which the vacancy is advertised will carry the cost of advertising. If no funds are available, the Town Administrator will be asked for approval of funds.

External advertisements will disclose only the hiring range or the applicable starting salary for the vacant position. If the ad fails to produce an adequate candidate pool, the Town may re-advertise disclosing the entire salary range.

The Town will send all advertisements to the list of places (attached) for posting/advertising, to allow for affirmative action towards the hiring of veterans, the disabled, women and minorities and to target educational institutions and their graduates who meet specific educational requirements. The Town may send postings to additional locations to reach desirable and likely candidates. Additionally, the Town may target the Massachusetts municipal employment market through the Massachusetts Municipal Association and its publications and resources.

3. Application Process

The Town will require each applicant to complete the general Employment Application form. Applicants may attach additional documents including a resume, copies of diplomas, certificates, licenses, and letters of recommendation. The Town is careful not to solicit protected information such as licenses, which may reveal an applicant's date of birth. The Town reduces potential liability by making offers for employment contingent on certain job specific requirements. The Employment Application informs and notifies applicants of the examinations (i.e. physical agility test for firefighters, pre-employment physical and drug screen for commercial drivers, psychological evaluation for police officers), investigations, checks and

policies, which may disqualify them from employment even after they have received an offer for employment. All applications are submitted to the Assistant Town Administrator.

C. SELECTION OF FINALISTS

1. Interview Process

The department head under whose direction the new employee will be employed will work with the Assistant Town Administrator to ensure the standard hiring process is followed. After the deadline for applications has passed the department head, or his/her designee, reviews the applications and selects applicants for interview. The Assistant Town Administrator may recommend additional applicants for interview. The Assistant Town Administrator and/or staff in the Selectmen's Office will arrange the interviews and assist the department head in developing a set of job specific interview questions for use during the process. The department head and the Assistant Town Administrator will conduct interviews. Other town employees and/or officials may participate in the interview process, as determined by the department head and the Assistant Town Administrator. No offer for employment may be extended to any individual during the interview.

If no suitable candidate is identified, the department head, in consultation with the Assistant Town Administrator, may select additional applicants for interview. If no suitable candidate is available, the Town may re-advertise for additional applications. The Town may widen its search to reach additional candidates. The Town may also re-evaluate the position as advertised and consider feedback received from applicants to ensure the job, as advertised, competes adequately for qualified applicants.

At every step of the process the Town must consider how best to meet the goal of recruiting a qualified individual. While it may be difficult to wait out the process with a staffing shortage, department heads must consider the considerable financial liability and consequences which every hire carries and the impact on service delivery of their department and the organization as a whole.

Public Safety Applicants:

Notwithstanding the provision of sub-section C1 of Section III, Process, after public safety applicants are selected for interview, an initial round of interviews will be conducted by a panel comprised of designated members of the Police Department or Fire Department who will interview the applicants and determine the semi-finalists for the position. A second round of interviews will then be conducted by a panel comprised of designated Department Heads, the Town Administrator and the Human Resources Coordinator from whom the panel will select the finalists for the position. (amended by vote of the Board of Selectmen on May 10, 2010).

Department Head Applicants:

For each Department Head position, the Board of Selectmen may establish a different hiring protocol than the hiring process outlined in this policy. (Amended by vote of the Board of Selectmen on May 10, 2010).

2. Reference Checks

The Assistant Town Administrator will check references for the selected finalist. If there is more than one candidate remaining under consideration after finalists are interviewed, the Assistant Town Administrator may check those candidates' references in order to include the results of reference information in the final hiring decision. The questions and answers are documented using the Reference Form attached to this policy.

3. Offer of Employment

If references are satisfactory the Town can extend an offer for employment to the chosen applicant. This may take the form of a contingent appointment by the Board of Selectmen for police officers, firefighters and other appointed positions or a verbal or written offer by the Assistant Town Administrator, with approval of the Town Administrator.

The offer will state the requirements, contingencies and examinations which will follow and which are a requirement for the position in question. The Town will arrange for and bear the cost for pre-employment physical examinations including drug testing as well as psychological testing, where applicable.

D. Hire Letter

Once the applicant has met the contingencies and the department head and new employee have agreed on a starting date, the Assistant Town Administrator will send a hire letter stating the date employment begins, when to report for work, position hired for, pay rate, hours of work, name and telephone number of immediate supervisor, end of probationary period, and instructions for the completion of necessary employment forms.

The hire letter will include detailed information on all benefit programs the employee may volunteer to participate in, and is eligible to receive. The hire letter will include all employment forms and instructs the new employee to attend an orientation meeting with staff in the Selectmen's Office and the Treasurer's Office.

A copy of the hire letter will be sent to the Board of Selectmen, applicable department head, Town Accountant, Town Treasurer/Collector, the union representative in the case of a union position, and any elected or appointed board members the new employee may be working with, as appropriate.

E. New Hire Orientation Meeting

At the new hire orientation meeting the Town verifies employment eligibility (Form I-9), receives instructions as to income tax withholding (form W-4) and retirement contribution (Hampden County Regional Retirement Program, Social Security or OBRA). The employee selects or declines participation in voluntary benefits and is advised of special enrollment rules (e.g., HIPAA), completes enrollment forms, and acknowledges receipt and instruction on all Personnel Policies. The employee is encouraged to ask questions and is provided with contact information for specific benefit programs.

F. Notification Of All Applicants

Once an individual has been hired the Assistant Town Administrator will notify all other applicants of the status of their application. This is not done until the position is filled to allow for the hire of another finalist should the selected individual for hire withdraw his/her interest or in the event the hire cannot commence for any other reason.

The Assistant Town Administrator keeps all records associated with the hire and uses this documentation to complete inquiries and reports to such agencies as the Massachusetts Commission Against Discrimination (MCAD) and the Equal Employment Opportunity Commission (EEOC).

IV. EMPLOYMENT

All documentation of human resources functions including, but not limited to, pay rates and pay increases, performance evaluations, training and professional development, benefits

administration, hours worked and paid time off, complaints, grievances, discipline, commendations, disability accommodations, medical, military and other leaves, drug testing, injury on duty and workers compensation, union negotiations, job descriptions and classifications, applications for unemployment benefits and other matters as they arise, are centralized in the Office of the Assistant Town Administrator to allow for a standard process in all employment related matters in order to protect employee's rights and the Town from liability arising out of employment related actions.

V. TEMPORARY/SEASONAL EMPLOYMENT

The Town follows the hiring process as outlined for all new hires in all departments including temporary/seasonal, flexible/casual and on-call positions. The town will notify seasonal employees who are invited to return to their previous positions in writing and will advertise only the positions not filled by former employees.

VI. PUBLIC SAFETY HIRES (POLICE AND FIRE DEPARTMENTS)

The Town follows the hiring process as outlined for all new hires in all departments including uniformed police and fire positions. The Board of Selectmen will make an appointment to office contingent on the satisfactory completion of examinations (i.e. physical agility test for firefighters, pre-employment physical and psychological evaluation for police officers), investigations, and checks, which may disqualify them from employment.

VII. SELECTION COMMITTEES

For the hire of employees into certain positions of leadership in community affairs (i.e. Town Administrator, Fire Chief, and Chief of Police), and for the hire of department directors where an elected or appointed body is charged with the hire of such an employee, (i.e. Library Trustees to appoint Library Director or Recreation Commission to appoint Recreation Director), the Town may convene a selection committee comprised of members of the applicable board/committee, the Personnel Board, the Board of Selectmen, management staff, and/or community volunteers. The Selection Committee will receive guidance from the Assistant Town Administrator in following the Town's hiring policy.

Personnel Board December: 1, 2004, Board of Selectmen: February 28, 2005, May 10, 2010; Aug 23, 2010;

JOB DESCRIPTION REVIEW AND APPEAL OF CLASSIFICATION POLICY

Authorization

All non-union employees whose positions are classified in the town's compensation schedule for non-union employees are eligible to request a job description review based on omission or change in actual duties, responsibilities or working conditions according to this policy.

Purpose

The Town of Wilbraham has the right and obligation to assign duties and responsibilities to ensure the mandate of the organization is achieved. Employees have the right to receive accurate information on what their duties and responsibilities are and the grade level and rate of compensation they receive for their efforts.

The purpose of this policy is to meet the town's commitment to offer equal pay for work of equal or comparable value. Towards that end it provides employees with information on how they can request a review and examination of their job duties and responsibilities and the resulting classification of their job for the purpose of determining rate of pay.

Non-Discrimination

In the application of the classification plan, there is no discrimination where the pay difference is the result of any of the following:

- a temporary assignment of no more than 15 working days in any 6 month period
- a job downgrade which allows the incumbent employee to retain a rate above the maximum of the newly assigned grade level
- a skills shortage that is causing inflation in pay for an occupation when the town is encountering difficulties in recruiting and/or retaining qualified staff

Procedure

Following the establishment of a new position the incumbent employee must have worked in the position for not less than 6 months before a review may be requested. Following the review of an existing position a new request for review is subject to a one year waiting period.

Employees, the employee's supervisor, or the Town Administrator may initiate a request to amend a job description and re-evaluation for placement in grade where the effect of the changes is considered significant. As a general guide, such changes would normally relate to reporting line, number of staff supervised, additional range or level of responsibility.

If the employee initiates the request, he/she must provide a written request for review of his/her job description which must include the following information: Name of incumbent employee, position title, name of department, name of immediate supervisor, grade and current rate of pay, date of request, and the specific duties and responsibilities in question. The employee must explain how and/or why his/her job has changed and which essential job factors as outlined below have changed or need to be added or deleted.

If the supervisor initiates the request it will be forwarded to the Town Administrator with a statement from the employee regarding the proposed changes. Changes in position descriptions may be necessary to allow for reorganization/restructuring of a division or department, downsizing or increase staffing to meet increased demand on town services.

If the Town Administrator initiates the request he/she will meet with the supervisor and employee to discuss the proposal and forward the request to the Personnel Board with a statement from the employee and supervisor.

Employees must forward their written request within 30 days of the date on the request to their immediate supervisor. The supervisor must review the request and determine if the request is valid. If the supervisor concurs with the request he must attach a written statement to the request and forward it to the Town Administrator within 30 days from the day of receipt.

If the immediate supervisor does not agree that the changes are valid he/she will meet with the employee to discuss the issue. If the supervisor and employee agree not to pursue the issue further, the process ends here. The supervisor will document the discussion with the employee.

If the supervisor and employee cannot agree, the matter will be forwarded to the Town Administrator within 30 days from the day the supervisor received the request. The supervisor should include a statement that he/she does not concur with the requested changes in job description and the reason(s) why.

When the Town Administrator receives a request for review of job description, he will review the employee's reasons and the supervisor's statement. If he concurs with the request that valid changes in the job description are indicated, he will forward all documents to the Personnel Board for review. If he does not agree with the validity of the request, he will meet with the employee and supervisor to discuss the issue. If an agreement can be reached not to pursue the issue further, the process ends here. The Town Administrator will document the discussion with the employee and supervisor.

If the parties cannot reach an agreement, the matter will be forwarded to the Personnel Board within 30 days of receipt in the Town Administrator's Office. The Personnel Board will review the issue and may invite the employee and supervisor to come before the board to discuss the issue. The Personnel Board will make a recommendation to the Board of Selectmen as to changes to the job description and resulting placement in grade (downgrade or upgrade).

The Board of Selectmen has final review and authority to change a job description and approve the resulting placement in grade.

Job Evaluation Criteria

The evaluation and classification manual of the town's plan which determines job value is based on the following criteria:

EDUCATION/BASIC KNOWLEDGE

Education and Basic Knowledge measures the basic knowledge acquired through either formal education and/or specialized training, which is essential to successful performance in the position.

EXPERIENCE

Experience measures the length of time usually required by someone with the specified education, background or knowledge, to learn to perform the duties effectively under normal supervision. The length of time required to become proficient at a job includes previous qualifying experience from related work or lesser jobs as well as on-the-job training.

ACCOUNTABILITY

Accountability measures the degree to which the employee is responsible for preventing errors and the magnitude of those potential errors. In rating this factor, consider the following: the likelihood of errors; the possibility of error detection; and the probable effect of errors based on the degree to which the work is checked, either by the procedures themselves, by supervision, or by succeeding operations. Consequences of errors, missed deadlines or poor judgment can be measured in damage to buildings and equipment, labor and material costs or correction, jeopardy to municipal programs, monetary loss, personal injury, danger to public health and safety, etc. Hence, there should be a correlation between this factor and the factor of Supervision Required.

JUDGMENT

Judgment considers the degree of independent judgment and involves consideration of how much discretion and application of professional knowledge and experience an employee exercises in carrying out work assignments. To the extent that guidelines are available and relevant, the requirement of judgment is reduced. Hence, there should be a correlation between this factor and the factor of Complexity.

COMPLEXITY

Complexity considers the degree to which the duties are complicated or involved. Jobs are made more complex by the range and variety of assignments or duties and the availability of specific guidelines for performing the work.

SUPERVISION REQUIRED

Supervision Required measures the degree to which an employee's immediate supervisor outlines the methods to be followed or the results to be attained, checks the progress of work, and handles exceptional cases. Controls are exercised by the supervisor in the way assignments are made, instructions are given to the employee, priorities and deadlines are set, and objectives and boundaries are defined. Responsibility of the employee depends upon the extent to which the employee is expected to develop the sequence and timing of various aspects of the work, to deviate from instructions and to participate in establishing priorities and defining objectives.

NATURE AND PURPOSE OF PERSONAL CONTACTS

Nature and Purpose of Personal Contacts measures interpersonal skills required in work relationships and their importance to the success of the work. Contacts with supervisors are not considered here. This factor also measures the degree of human interaction and the responsibility which goes with the job for meeting, dealing with and influencing other persons. In rating this factor, consider how often the contacts are made and whether they involve furnishing or obtaining information only, or whether they involve influencing others.

WORK ENVIRONMENT

Work Environment measures the surroundings or environmental conditions under which the job must be done and the extent to which they make the job unpleasant. Consider the elements which hinder the employee's ability to perform assigned duties.

PHYSICAL DEMANDS

Physical Demands measures the degree of physical effort required in the performance of job duties.

MOTOR SKILLS

Motor Skills measures the degree to which the job requires motor coordination and the coordination of manual dexterity with mental and/or visual attention. Consider the degree of manual skills and motor coordination applied in work situations of varying lengths of concentration.

OCCUPATIONAL RISKS

Occupational Risks measures the relative degree of exposure to hazards which may threaten or cause injury on the job. In rating this factor, consider both the probability of injury as well as the severity of injuries, if an accident actually occurred.

CONFIDENTIALITY

Confidentiality measures the discretion and integrity required by those employees with access to confidential information handled or obtained in the normal performance of duties. Confidential information includes: official personnel files, collective bargaining negotiations, law suits and criminal records and investigations. In rating this factor, consider the nature of the information, the degree to which the full significance and meaning of the information is apparent to the employee, and whether disclosure would compromise the position of the municipality or

the public, or constitute a breach of security. The factor of Confidentiality does not apply to all employees.

SUPERVISORY RESPONSIBILITY

Supervisory Responsibility measures the extent and nature of supervisory and managerial responsibilities in terms of the degree of involvement in work planning and organization, work assignment and review, and personnel functions. Positions are classified as either work leaders, supervisors or managers. Points associated with Supervision Exercised will be based on how the positions are classified in this factor.

SUPERVISION EXERCISED

Supervision Exercised serves to differentiate levels of difficulty required to supervise and manage program operations. Further, it evaluates the demands placed upon the incumbent due to differences in staff size, diversity of functions or activities overseen, stability of work operations, and workforce dispersion.

Implementation

The Personnel Board's recommendation will include an implementation date if the change in job description affects the classification/placement in grade and salary amount. Position upgrades will be effective on the date approved by the Board of Selectmen. This may be at the end of the review process if funding is available or following the next budget process after the review if funding is not available.

If the Selectmen approve an upgrade and salary increase, the Town Administrator will schedule the new pay grade and job description and inform the employee, department director, Town Accountant and Town Treasurer.

(Personnel Board June 11, 2003, Labor Counsel 8/8/2003, Labor Counsel 9/12/03, Personnel Board 10/15/2003, Board of Selectmen 10/20/2003).

REFERENCE CHECKS AND VERIFICATION OF EMPLOYMENT

Any employee or former employee requesting that the Town of Wilbraham or its officers or employees make a written or verbal reference related to said employee's current or former employment with the Town of Wilbraham must make such request in writing to the Town Administrator or Assistant Town Administrator and must provide a full release to the town and its officers or employees from any liability for such reference by completing an "*Employee Authorization to Release Reference Information Form*". This authorization form must be completed each and every time a current or former employee requests the Town of Wilbraham to release reference or verification of employment information.

1. Responding to credit checks

All requests for employment verification and credit checks from financial institutions must be forwarded to the Town Administrator or Assistant Town Administrator. The town will complete these requests provided that:

- the employee provides written consent to release the information
- the request is made in writing
- the information is limited to past earnings, employment dates and job title (no information about future earnings or employment probability will be provided)

2. Responding to Pre-Employment Reference Checks of Former Employees

The town will respond to pre-employment reference check inquiries from prospective

employers on former town employees only with written authorization by the employee stating what type of information he/she authorizes for release. All pre-employment inquiries must be forwarded to the Town Administrator or Assistant Town Administrator for reply. References will be furnished in writing only and will not be given over the phone. The town will provide the authorization form to all employees at the time of separation from employment. In addition, former employees may obtain an "Employee Authorization to Release Reference Information Form" from the Town Administrator's Office.

REMOTE PARTICIPATION POLICY (Approved: Board of Selectmen 03/26/2012)

PURPOSE STATEMENT

The Office of the Attorney General amended the *Open Meeting Law* regulations at 940 CMR 29.00 to allow members of public bodies, in limited circumstances, to participate remotely in meetings. While all members of Town Boards and Committees should try to attend meeting in person, the new regulations seek to promote greater participation in government meetings by allowing members to participate remotely when certain specific circumstances prevent them from being physically present.

The intent of this policy is to establish clear guidelines on the practice of remote participation by Town Boards and Committees under the Open Meeting Law, M.G.L. c 30A, §§18025.

ENABLING AUTHORITY-940 CMR 29.10(8)

A municipality may adopt a policy that prohibits or further restricts the use of remote participation by public bodies within its jurisdiction.

ADOPTION OF REMOTE PARTICIPATION

In accordance with 940 CMR 29.10(2)(a), the Board of Selectmen shall hereby adopt 940 CMR 29.10 so that remote participation is permitted in the Town. In accordance with 940 CMR 29.10(3), the Board of Selectmen may revoke its adoption of 940 CMR by simple majority vote at any time.

This policy and 940 CMR 29.10 shall apply to all Town boards, committees, commissions, sub-committees and working groups regardless of whether such public bodies are appointed or elected. Where the Remote Participation Policy is more stringent than 940 CMR 29.10, the Policy shall control. This policy may be amended by the Board of Selectmen at any time in accordance with 940 CMR 29.10.

MINIMUM REQUIREMENTS FOR REMOTE PARTICIPATION

Members of the public body who participate remotely and all persons present at the meeting location shall be clearly audible to each other.

A quorum of the body, including the chair or, in the chair's absence, the person authorized to chair the meeting shall be physically present at the meeting location as required by M.G.L. c30A, §20(d).

Members of the public body who participate remotely may vote and shall not be deemed absent for the purposes of M.G.L. c 39, §23D.

PERMISSIBLE REASONS FOR REMOTE PARTICIPATION

It is the express intent of the Board of Selectmen that remote participation in meetings be an infrequent event, for both individual board members and Town Boards and Committees as a whole. Chairs of public bodies are encouraged to interpret these rules in a strict fashion and to continue to induce all members to attend meetings in person as a general rule, due to the inherent benefits of physical presence in a meeting.

A Board or Committee member may attend a meeting through electronic conferencing if his or her physical presence at the meeting is prevented due to extenuating circumstances such as: personal illness or disability, a family or other emergency; military service; significant geographic distance (due to personal employment or business with public body).

The determination by the person chairing the meeting to allow or not to allow remote participation shall be final and shall not be appealable. Factors in making this determination may include, but shall not be limited to, the specific challenges faced by the board or committee member to attend all or part of the meeting; the relative importance of the items on the agenda to be discussed or decided upon; the ability of the board of committee to provide access to meeting materials.

ACCEPTABLE METHODS OF REMOTE PARTICIPATION

- (i) Telephone, internet or satellite enabled audio or vide conferencing.
- (ii) Any other technology that enables the remote participant and all persons present at the meeting location to be clearly audible and, if possible clearly visible to all persons present at the meeting location.
- (iii) The focus of the chair should always be on maintaining the flow of the meeting. If the chair determines that technical difficulties are inhibiting the progress of the meeting, the chair may elect to terminate the participation of the remote member. If technical difficulties arise as a result of utilizing remote participation the Chair could suspend discussion while reasonable effort are made to correct any problem that interferes with the remote participant's ability to hear or be heard clearly by all persons at the meeting location. If technical difficulties result in a remote participant being disconnected from the meeting, that fact and the time at which the disconnection occurred and subsequent reconnection if achieved shall be noted in the meeting minutes. If a public hearing occurs after disconnection, the member shall be noted as absent.

Accommodations shall be made for any public body member who requires TTY service, video relay service, or other form of adaptive communications.

PROCEDURES FOR REMOTE PARTICIPATION

Any member of a public body who wishes to participate remotely shall, at least 48hours or as soon as reasonable possible prior to the meeting, notify the chair or person chairing the meeting of his or her desire to do so and the reason for and facts supporting his or her request.

- (i) Prior to the meeting the Chair shall make every effort to ensure the equipment is available

and functioning properly, If the required equipment is not available then the Chair shall deny the request for remote participation.

(ii) At the start of the meeting, the chair shall announce the name of any member who will be participating remotely and the reason under 940 CMR 29.10(5) for his or her remote participation. This information shall also be recorded in the meeting minutes.

(iii) All votes taken during any meeting in which a member participates remotely shall be by roll call vote.

(iv) Remote participants shall preserve the confidentiality of the executive session. The remote participant shall state at the start of any such session that no other person is present and/or able to hear the discussion at the remote location, unless presence of that person is approved by simple majority vote of the public body, and that the session is not being remotely recorded by any device.

(v) The Town shall not be responsible for the reimbursement of any out-of-pocket costs associated with the remote participation of board or committee members.

(vi) Members participating remotely are cautioned that the same obligations of consideration apply as in any physical meeting. Remote participants should direct all their attention to the meeting, and should make their decisions based upon the same information as is available to all other participants at the meeting. //

VISITORS IN THE WORKPLACE

To provide for the safety and security of employees, patrons and town facilities, employees' visitors are allowed on a limited basis. Restricting employees' visitors helps maintain safety standards, protects against theft, ensures security of equipment, protects confidential information, safeguards employee welfare, and avoids potential distractions and disturbances which may interfere with service delivery to patrons or job performance.

Children may visit only under the supervision of an adult and may not be left under the care of the employee while the employee is performing his/her job function. Employees who must care for their children must do so outside their work environment and may avail themselves of their applicable earned time off benefits.

VOLUNTEER POLICY

I. INTRODUCTION

The Town of Wilbraham welcomes and appreciates volunteer efforts to encourage public involvement in government affairs and providing quality services and programs to the residents of Wilbraham. Volunteers may serve in a variety of departments and capacities, and are encouraged to look for opportunities which will allow them to share their experience, skills and talents, while offering a meaningful and rewarding experience for the volunteer.

II. CONDITIONS FOR SERVING AS VOLUNTEER

1. A volunteer is defined as an individual who performs hours of service for the Town OF Wilbraham for civic reasons, without promise, expectation or receipt of compensation, benefits or privileges for services rendered. Examples of volunteer positions include but are not limited to, non-appointed members of committees, sport program coaches in the Recreation Department, trip chaperones and drivers in the Senior Center, program assistant's in the Library, videographers for Wilbraham Public Access Television, Vision Task Force volunteers, and those in unpaid internship programs.

2. Volunteers are not employees of the Town of Wilbraham, except for purposes of the Conflict of Interest Law under Massachusetts General Laws (MGL) Chapter 268A. (Volunteers performing services for a town or holding a municipal position, even though unpaid, is a municipal employee under the Conflict of Interest law.)

3. Volunteers are not covered by any of the Town of Wilbraham benefit plans, including its workers' compensation plan.

4. Volunteers are required to conduct themselves in an appropriate manner and in accordance with the Town's policies and regulations, and are subject to the following: Communications Policy, Drug Free Workplace Policy, Protected Class Harassment and Sexual Harassment, Smoke Free Workplace Policy, Whistleblower Policy and Disability Accommodation Policy. A copy of these policies will be provided to each volunteer and each volunteer will sign an acknowledgement of receipt.

5. All volunteers must be covered by their own medical insurance policy and provide evidence of such coverage to the Town.¹

6. Volunteers may be subject to a Criminal Offender Record Information (CORI) check where required by law. (This generally includes volunteers who have unmonitored access to children, the elderly or the disabled.)

7. Volunteers shall wear a Volunteer Name Tag whenever performing volunteer service, and are required to keep a record of the date, time and hours they spend as volunteers as prescribed by the department director, and shall work **only** at times scheduled by the department director.

8. Court Ordered Community Service may be allowed at the discretion of the Town. Only non-violent criminals and no sex-offenders are permitted to perform community service and their service is at the sole discretion of the department director and the Town Administrator.

9. Each volunteer must complete the "Volunteer Application Form," which will be maintained by the Town's Human Resources Coordinator. Volunteers will be interviewed by the department director who shall determine the qualifications of the applicant prior to being accepted for the volunteer position.

10. Any Volunteers whose service includes operating a Town vehicle of any kind during their volunteer service are required to possess and show proof of a valid, unrestricted operator's

¹ Volunteers shall sign a liability waiver form holding the Town harmless from liability arising out of their service to the Town. If Volunteer is under the age of 18, must be signed by a parent/legal guardian.

license, and shall be subject to the Town's Municipal Vehicle Use Policy. A copy of the policy will be provided to the volunteer and the volunteer will sign an acknowledgement of receipt. Volunteers whose services require them to utilize their personal vehicle should verify appropriate coverage with their personal insurance carrier. Volunteers under the age of 18 are not permitted to operate any vehicle of the Town in the performance of their volunteer services.

11. Volunteers under the age of 18 shall not operate any machinery or engage in any hazardous activity without the express prior written approval of the department director and the Town Administrator.

12. The Town Administrator may adopt protocols and guidelines to carry out this Policy.

APPROVED BY THE BOARD OF SELECTMEN ON JUNE 23, 2014

WORKER'S COMPENSATION POLICY

As required by Massachusetts General Law, Chapter 152, Sections 21, 22-30, the Town of Wilbraham provides a comprehensive workers' compensation insurance program at no cost to employees. This program covers any injury or illness arising out of and in the course of employment which requires medical, surgical, or hospital treatment. It pays for adequate and reasonable hospital and medical services in accordance with the provisions of the Workers Compensation Act.

Eligibility:

All employees with the exception of uniformed police and fire personnel are covered. While the law does provide for certain exceptions, an employee is every person in service to the town under any contract of hire, express or implied, oral or written. Neither the Town of Wilbraham nor the insurance carrier will be liable for the payment of workers' compensation benefits for injuries that occur during an employee's voluntary participation in any off- duty recreational, social, or athletic activity sponsored by the Town of Wilbraham.

Denial of Claim:

The insurance carrier files the report with the Department of Industrial Accidents. If a claim for injury on duty is denied by the insurer, the employee may appeal the denial to the Department of Industrial Accidents at the following address: Massachusetts Department of Industrial Accidents, Department 104, 600 Washington Street, 7th Floor, Boston, MA 02111. The department can be reached at 1-800-323-3249 or (617)727-4900 for more information.

Guidelines:

The Human Resources Coordinator is the designated Workers Compensation Officer. Employees who sustain injuries or contract illness in the course of their employment with the Town must file a Report of Work Related Injury and a form authorizing the release of medical information to the town. The employee is entitled to a copy of the report. If the employee is unable to report an injury, the supervisor must complete the form and submit it to the Human Resources Assistant immediately or as soon as possible, and obtain the Release of Medical Information Authorization from the employee as soon as possible.

No matter how minor an on-the-job injury may appear, it is important that it be reported

immediately on a standard form. This will enable an eligible employee to qualify for coverage as quickly as possible.

Medical Providers:

Severe or life threatening injuries, or injuries incurred outside of normal business hours warrant Hospital Emergency Room Services. While every employee has 100% freedom of choice in his/her selection of medical providers, Massachusetts state law requires the town to recommend a provider in the event of injury and to post this information. Therefore we strongly recommend that you use, for all injuries during normal work hours: **Mercy Medical Center – Workwise Occupational Health, a medical service provider located at 233 Carew Street, Springfield, MA 01104 specializing in occupational safety and medicine.**

All reasonable cost of the services provided by the treating physician will be paid by the insurer, if the treatment is necessary and reasonably connected to the work related injury. The current name and address of the insurer for the town is available at HRSO and posted annually with other employment posters at every work site.

All medical invoices received by employees for work related injury medical services should be sent or delivered to HRSO. Employees are not responsible to pay for any such medical services. Similarly, any other related expenditures, such as medication and mileage for doctor visits, must be clearly documented and submitted for reimbursement.

Time Lost:

If an employee cannot return to work immediately due to a work related injury or illness, he or she will be charged with sick leave or other available paid leave during the first five days of absence. An absence longer than five days is covered under workers compensation insurance. This means after the fifth day the employee will receive approximately 60% of regular wages. If the absence exceeds 21 days, the first five days will be reimbursed and any earned sick time benefit used during the first five days will be reimbursed by the town and returned to the employee's sick leave benefit records, as will also be true for any personal or vacation time used.

All time lost on Worker's Compensation is counted as leave time under FMLA if it applies.

A case manager is assigned by the insurer for direct management of individual employees and their special needs. The case manager will contact the employee as soon as possible after a claim is received. During the time of healing, the employee must keep his/her supervisor and HRSO informed on his/her progress.

Return to Work Policy:

A fitness for duty form as provided by the town including the employee's current job description must be completed by the attending physician before an employee may return to work to ensure the employee's safety.

Light duty as prescribed by the physician will be temporarily assigned if the imposed restrictions allow the employee to execute the essential functions of a job. Light duty is intended to strengthen the employee's ability to resume normal job function through gradual work hardening. If light duty is not an option, the employee will remain on workers compensation until a return to work is authorized.

If it is indicated that an employee will not be able to return to work, the town and the insurer will

work with the employee to settle the claim. The decisions made follow a case-by-case review. Re-training for a different line of work or a different position, or any kind of settlement offered under the Workers Compensation Act are possible solutions.

The Town of Wilbraham has an obligation to provide adequate staffing levels to provide essential services to its residents. If an employee has been on workers compensation and/or on light duty for twelve (12) months from the date of injury, and a return is not imminent, the town may fill the injured employee's position to meet operational needs. A subsequent termination under the leaves of Absence policy will not affect the right of the employee to preferential re-hire once she/he is medically cleared to resume work.

Disability Accommodation:

The Town of Wilbraham follows the provisions of the Americans with Disabilities Act and will make reasonable accommodations to employees with a temporary or permanent disability as described under the Act, including disabilities resulting from a work related injury or illness.

Fatal Injuries:

If an employee suffers fatal injury or illness arising out of and in the course of employment, the employee's spouse, emergency contact, next of kin or immediate family will be notified as soon as possible. The Town of Wilbraham will assist the spouse or next of kin in claiming and receiving all benefits the employee accrued or was entitled to including workers compensation.

Disability Retirement following work related injury:

Employees who are members of the Hampden County Regional Retirement Plan (HCRRP) who are unable to return to work following work related injury or illness may qualify for Accidental Disability Retirement benefits. An enrolled employee should notify the retirement board of any work related injury within 90 days. For a copy of the Massachusetts Public Employee Retirement Guide contact HRSO, or contact the Retirement Board directly by calling the administrator, Ms. Julianne Bartley, at (413)748-7880 for information on disability retirement benefits.

ACKNOWLEDGEMENT FORM – ADMINISTRATIVE POLICIES

Print Name of Employee

Position/Title

I ACKNOWLEDGE RECEIPT OF THE FOLLOWING ADMINISTRATIVE POLICIES CURRENTLY IN EFFECT AND HAVE READ THEIR CONTENTS:

- a) CORI (Policy on Criminal Officer Record Information)
- b) Emergency Situations and Facilities Closings
- c) Hiring Policy
- d) Job Description Review and Position Classification
- e) Reference Checks and Verification of Employment
- f) Remote Participation Policy (Public Meetings)
- g) Visitors in the Workplace
- h) Volunteer Policy
- i) Workers Compensation Policy

Signature

Date

Witness