

Town of Shutesbury



Personnel Handbook

Please be advised that the Table of Contents is subject to change

I. INTRODUCTION AND FOUNDATIONAL POLICIES.....	6
A. ABOUT THE HANDBOOK.....	6
B. DEFINITIONS.....	6
C. HUMAN RESOURCE ADMINISTRATION.....	8
D. CORE POLICIES.....	9
a. Equal Employment Opportunity.....	9
b. Disability Accommodations.....	10
c. Business Ethics and Conduct.....	10
d. Conflicts of Interest.....	10
e. Confidentially.....	11
f. Political Activities.....	12
g. Nepotism, Dating, and Employee Fraternalization.....	12
II. THE EMPLOYMENT LIFE CYCLE.....	13
A. HIRING AND ONBOARDING.....	13
a. Employment at Will.....	13
b. Job Posting Requirements.....	13
iii. Vacancy Determination and Initial Steps:.....	14
iv. Search and Screening Policies.....	14
c. Pre-Employment Requirements.....	15
d. Final Offer.....	15
e. Probationary Period.....	15
f. Contracts.....	16
B. Employee Status and Records.....	16
a. Employment Categories.....	16
b. Personnel Records and Data Changes.....	17
C. PERFORMANCE, DEVELOPMENT, and PROGRESSIVE DISCIPLINE.....	19
a. Performance Evaluations.....	19
iii. Frequency of Evaluations.....	19
D. SEPARATION FROM EMPLOYMENT.....	27
a. Resignation.....	27
b. Termination Process.....	27
c. Layoff and Reinstatement.....	27
d. Exit Procedures.....	27
III. COMPENSATION, BENEFITS, AND LEAVE.....	30
A. PAYDAYS.....	30

B. PAY DEDUCTIONS.....	30
C. ADMINISTRATIVE PAY CORRECTIONS.....	30
D. EQUAL PAY POLICY.....	30
E. TIMEKEEPING.....	32
F. OVERTIME.....	32
G. BENEFITS.....	33
a. Health Insurance.....	33
b. EDUCATIONAL ASSISTANCE PROGRAM.....	34
c. Professional Development.....	35
d. Personnel Board.....	36
i. Departmental Meetings.....	36
IV. PAID AND UNPAID LEAVE.....	37
A. FAMILY AND MEDICAL LEAVE ACT INCLUDING MILITARY FAMILY LEAVE (FMLA)...	37
B. MILITARY SERVICE LEAVE.....	37
C. TERMINAL LEAVE.....	37
D. UNPAID LEAVE OF ABSENCE.....	37
E. SMALL NECESSITIES LEAVE ACT.....	37
F. DOMESTIC VIOLENCE LEAVE ACT.....	38
G. PARENTAL LEAVE ACT.....	38
H. PREGNANT WORKERS FAIRNESS ACT.....	38
I. PERSONAL LEAVE.....	39
J. SICK LEAVE.....	39
K. VACATION LEAVE.....	40
L. JURY DUTY AND COURT APPEARANCE LEAVE.....	42
M. BEREAVEMENT LEAVE.....	42
N. VOTING LEAVE.....	43
O. HOLIDAY LEAVE.....	43
IV. WORKPLACE POLICIES AND CONDUCT.....	43
General Conduct and Rules.....	43
A. WORK SCHEDULES AND ATTENDANCE.....	43
B. NON-SOLICITATION.....	44
C. EMPLOYEE CONDUCT AND CUSTOMER SERVICE.....	44
D. WORKPLACE ATTIRE.....	45
E. DRUG AND ALCOHOL USE AND DRUG TESTING.....	45
F. WORKPLACE VIOLENCE PREVENTION.....	45
G. SAFETY.....	46
H. HARRASSMENT POLICY.....	46

USE OF TOWN PROPERTY AND RESOURCES.....	47
A. TOWN EQUIPMENT.....	47
B. INFORMATION TECHNOLOGY RESOURCES GENERAL USE POLICY.....	47
b. Email and Internet:.....	47
c. Acceptable Use.....	48
d. Prohibited Use.....	48
e. Social Media.....	49
f. Security and Monitoring.....	49
g. Town-Owned Devices.....	49
h. Enforcement.....	49
i. Offensive Electronic Materials Policy.....	50
C. TELEPHONE USAGE.....	50
D. TRAVEL AND VEHICLE USE.....	50
a. Travel.....	50
b. Vehicle Use.....	51
X. COMPLAINT RESOLUTION.....	53
A. COMPLAINT RESOLUTION PROCESS.....	53
XI. AMENDMENT TO THE PERSONNEL POLICY.....	54
XIII. Appendices.....	56
Appendix A. Pay Classification.....	56
Appendix B. Position Classification.....	56
Appendix C. Offensive Computer Materials Network Incident Report.....	56
Appendix D. Employee Acknowledgement Form.....	56
Appendix E. Employee Self-Assessment Form.....	56
Appendix F. Employee Performance Evaluation Form.....	56
Pay Classification.....	57
Position Classification.....	58
Offensive Computer Materials Network Incident Report.....	59
I. Incident Details:.....	59
III. Involved Parties.....	60
IV. Supporting Information.....	60
Employee Acknowledgement Form.....	66

About the Personnel Handbook and Procedure

This Personnel Handbook is intended to serve as general guidance to all employees, managers, and Town officials of the Town of Shutesbury. Where negotiated terms of collective bargaining agreements and the terms of contractual agreements for appointed employees differ, the terms of the collective bargaining agreement or personal employment contract will take precedence. The Town of Shutesbury (hereinafter referred to as the “Town”) and the Shutesbury Select Board (hereinafter referred to as the “Select Board”) reserve the right to exercise its discretion at any time to amend, modify, revoke, rescind or add to any section contained in this Personnel Handbook.

This Handbook and its policies do not and is not intended to create any enforceable rights or promises of any kind with respect to the terms and conditions of employment.

I. INTRODUCTION AND FOUNDATIONAL POLICIES

A. ABOUT THE HANDBOOK

This Handbook is administered by the Town Administrator under the direction of the Select Board. All Town employees are subject to the policies contained herein; however, for employees covered by, or subject to, a collective bargaining agreement or personal employment contract, those agreements or contracts prevail over contradictory provisions contained within this Handbook. In the event that any provision of this Handbook is in conflict with any federal or state law or regulation, or any order, determination, ruling or regulation of a federal or state executive or administrative agency or court, this Handbook shall be modified to conform to the law, regulations, or order existing at that time. Such law, regulation, order, determination or ruling will be considered to supersede the policies in this Handbook if timely action is required.

The provisions in this Handbook do not and are not intended to create a contract of employment between the Town and any of its employees, managers, and Town officials, nor are they to be construed to constitute contractual obligations of any kind. Rather, they are provided for guidance purposes only. The provisions in this Handbook have been developed at the discretion of Town management and, except for its policy of employment-at-will, may be amended, modified, revoked, rescinded or supplemented at any time, in the sole discretion of the Town, as approved by the Select Board. This Handbook does not, and is not intended to, create any enforceable rights or promises of any kind with respect to the terms and conditions of employment. These provisions supersede all existing policies and practices and may not be amended or added to without the express written approval of the Town Administrator and the Select Board. The invalidity of any section of this Handbook shall not invalidate any other section or provision thereof.

B. DEFINITIONS

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

- Classification Plan: A plan classifying any or all positions, other than those filled by popular election and those under the direction and control of the

- school committee, into groups and classes doing substantially similar work or having substantially equal responsibilities.
- Compensation Plan: A plan establishing minimum and maximum salaries for each group of positions.
 - Complaint: An employee's concern arising out of an interpretation or application of the specific terms of this Policy.
 - Complaint Resolution Procedure: The complaint resolution procedure is a process for resolving disputes between an employee and the Town over the interpretation or application of the specific terms of this Policy.
 - Continuous Employment: Employment uninterrupted except for any authorized leaves of absence including required military service.
 - Department Head: The managerial employee appointed by the Select Board, for the purpose of exercising immediate supervision and control of a specific function of Town operations.
 - Employee: An individual employed by the Town occupying a position in the classification plan
 - Evaluation: Scheduled periodic review of an employee's performance.
 - Exempt Employees: Employees who are paid a salary and are not subject to the minimum wage and overtime provisions of the Fair Labor Standards Act (FLSA). <https://www.dol.gov/agencies/whd/flsa>
 - Full-Time Employee: An employee who works 40 hours a week. A full-time workday is typically scheduled for 8 hours, inclusive of an unpaid thirty (30) minute meal break. The standard schedule is five (5) days per week, Monday through Friday, though specific work schedules may vary based on departmental needs.
 - Grant Funded Employee: An employee whose position is funded by a grant, where the position may be discontinued with the loss of funding.
 - Probationary Period: The first six (6) months of employment in a position, or extensions thereof, as provided for in this Handbook.
 - Longevity Pay: Compensation to an employee occupying a position in the classification plan in full-time continuous employment or regular part-time employment of five (5) years or longer pursuant to the schedule as appearing in this Handbook.
 - Meal Breaks: Employees who work a shift of more than six (6) hours are entitled to a thirty (30) minute meal break. This is an unpaid break, and employees must be completely relieved of all work duties and be free to leave the workplace. Short rest breaks, generally 20 minutes or less, are paid and considered part of the work hours.

- Non-Benefit Eligible Employees: Employees who are not consistently scheduled, such as crossing guards, election workers, and any other similarly situated employee.
- Non-exempt Employees: Employees who are paid a fixed wage and are eligible for overtime pay in accordance with the provisions of FLSA.
- Overtime: All work performed by non-exempt employees in excess of 40 hours in a single workweek is considered overtime. Overtime hours will be compensated at a rate of one and one-half (1.5) times the employee's regular rate of pay.
- Regular Employee: Subject to the provisions of at-will employment, an employee retained on a continuing basis in an ongoing, funded position for a period of more than six (6) months.
- Promotion: A change from a position of lower classification and compensation grade to a position with greater responsibilities in a higher classification and compensation grade.
- Regular, Part-Time Employee: Employment with the Town either for a minimum of twenty (20.0) hours to a maximum of thirty seven point four (37.4) hours per week for fifty-two (52) weeks per year, less any authorized paid time off or leaves of absence, or employed for a set amount of hours.
- Seasonal Employee: Employment with the Town on an intermittent basis within a year, or employment with fluctuating hours during a cyclical period not exceeding six (6) calendar months.
- Temporary Employee: An employee who is hired on an interim basis to temporarily supplement the work force, or to assist in the completion of a specific project. Employment assignments in this category are of a limited duration for a period not exceeding six (6) calendar months or less than twenty (20) hours a week.
- Town: The Town of Shutesbury.
- Town Administrator: The Town Administrator is the Chief Administrative Officer of the Town appointed by the Select Board, as defined herein.

C. HUMAN RESOURCE ADMINISTRATION

- a. The Town of Shutesbury provides that the Town Administrator is responsible for the day-to-day administration of the Town's personnel system and provides the responsibilities for which the Town Administrator is responsible.
- b. The Town Administrator administers the classification and compensation plans and establishes such procedures as they deem necessary for the proper administration thereof.

- c. The Town Administrator, or their designee, may employ assistance and incur expenses in conjunction with the implementation of this policy, as they deem necessary, subject to the appropriation of funds therefore.
- d. The Town Administrator, or their designee, shall maintain adequate personnel records of all employees occupying positions subject to this Policy. Said records are to be kept in the custody of the Town Administrator or their designee. Department Heads shall provide such information as the Town Administrator may request.
- e. The Town Administrator, or their designee, from time to time, shall investigate the work, features, and rates of salaries or wages of any or all positions subject to the provisions of this Policy. Such reviews shall be made at such intervals as the Town Administrator or Select Board deems necessary.

D. CORE POLICIES

- a. **Equal Employment Opportunity**
 - i. In order to provide equal employment and advancement opportunities to all individuals, employment decisions are based on merit, qualifications, and abilities. The purpose of this policy is to establish policies and procedures intended to ensure that the Town provides equal opportunity for all individuals and that it does not discriminate against persons based on a protected status. The Town does not discriminate in employment opportunities or practices on the basis of race, color, religious creed, gender, national origin, ancestry, sexual orientation, gender identity or expression, pregnancy and pregnancy related condition, veteran's status, criminal records, military service, age, marital status, genetic information, disability or on any other basis protected by federal, state, or local law or bylaw. This policy governs all aspects of employment, including recruitment, selection, job assignment, compensation, advancement, workforce reduction or transfer, leaves of absence, discipline, termination, and access to benefits and training.
 - ii. Any employees with questions or concerns about any form of discrimination in the workplace are encouraged to bring these issues to the attention of the Town Administrator or the Select Board. Employees can raise concerns and make reports without fear of reprisal or retaliation of any kind.
 - iii. This Policy may apply to discrimination that occurs between co-workers that takes place outside of the workplace (including, but not limited to, online conduct or conduct utilizing the internet or

other electronic media). When the conduct complained of occurs outside of the workplace, the Town may consider the following and other factors in assessing whether the conduct constituted conduct in violation of the Policy:

1. Whether the event at which the conduct occurred is linked to the workplace in any way, such as at a Town-sponsored function;
 2. Whether the conduct occurred during work hours;
 3. The severity of the alleged outside-of-work conduct;
 4. The work relationship of the complainant and alleged harasser, which includes whether the alleged harasser is a supervisor and whether the alleged harasser and complainant come into contact with one another on the job;
 5. Whether the conduct adversely affected the terms and conditions of the complainant's employment or impacted the complainant's work environment.
- iv. Anyone found to be engaging in any type of unlawful discrimination or retaliation will be subject to disciplinary action, up to and including termination of employment. It is not possible to list all the circumstances that may constitute discrimination in violation of this Handbook. Discrimination may take many forms, including both verbal and nonverbal behaviors. Prohibited behavior includes, but is not limited to, the following behaviors connected to someone's membership in one or more of groups protected by law and as noted above: slurs or other derogatory comments; sharing demeaning pictures, cartoons, or jokes; demeaning gestures, and; any conduct constituting sexual harassment (as will be more specifically provided for in following provisions in this Handbook).

b. Disability Accommodations

- i. The Town will provide reasonable accommodations to qualified individuals with disabilities in accordance with the Americans with Disabilities Act, as amended ("ADA") and applicable state law.
- ii. Employees are required to cooperate fully with the Town in the procurement of medical records, so that the Town can fully comply with the provisions of the ADA. Employees are required to supply any and all records the Town lawfully requests, and execute any medical authorizations or release forms provided by the Town or a medical care provider, consistent with the law.

- iii. Qualified individuals with disabilities are entitled to equal pay and other forms of compensation, as well as equal treatment in job assignments, classifications, organizational structures, position descriptions, promotional opportunities, and seniority lists. Leave of all types will be available to all employees without regard to their status as disabled.
 - iv. This policy is neither exhaustive nor exclusive. The Town is committed to taking all other actions necessary to ensure equal employment opportunity for persons with disabilities in accordance with all applicable laws.
- c. Business Ethics and Conduct
- i. All Town employees are expected to maintain the highest standards of ethical conduct.
 - ii. Compliance with this policy of business ethics and conduct is the responsibility of every Town employee. Disregarding or failing to comply with appropriate business ethics and conduct could lead to disciplinary action, up to and including termination of employment.
- d. Conflicts of Interest
- i. All Town employees shall comply with the rules and regulations and requirements of M.G. L. c. 268A (the "State Ethics Law") and any policy or rule as required thereby.
 - ii. Specifically, employees must avoid conflicts of interest between their obligation to the Town and their personal affairs. An actual or potential conflict of interest occurs when an employee is in a position to influence a decision that may result in a personal gain for that employee or for a relative as a result of the Town's business dealings. Personal gain may result not only in cases where an employee or relative has a significant ownership in a firm with which the Town does business, but also when an employee or relative receives any bribe, gift, or special consideration as a result of any transaction or business dealings involving the Town. No employee should have an economic interest in, hold a position in, or maintain a relationship with any firm, person, or corporation with which the Town does business or competes that could jeopardize the Town's interest. In general, the use of good judgment, based on the highest ethical principles, will guide employees with respect to lines of acceptable conduct. If a situation arises where a conflict may develop or where it is difficult to determine the proper course of action, the matter should

be discussed openly with the employee's supervisor, the Town Administrator as soon as possible, so that safeguards can be established to protect all parties. In addition, an employee with questions, concerns, or issues related to conflicts of interest is encouraged to contact the State Ethics Commission.

- iii. Nothing in this Policy shall be construed to conflict with the State Ethics Law, M.G.L. c. 268A. New employees shall complete the State Ethics Commission mandatory online training program within thirty (30) days of hire. Existing employees are required to complete the training every two (2) years, as well as receive a copy of the Conflict of Interest Law Summary from the Town Clerk annually and acknowledge receipt.
- iv. It is each employee's responsibility to familiarize themselves with all of the requirements and prohibitions of the Conflict of Interest Law, including but not limited to the prohibitions on gifts and gratuities.

e. Confidentially

- i. During the course of employment with the Town, employees may have access to confidential information relating to the Town, its business dealings, operations, or its citizens. To the extent such information is confidential, it shall not be disclosed or transmitted. Particularly, any records which are exempt from the public records law as defined by M.G.L. c. 4, §7, and more particularly by the Secretary of the Commonwealth of Massachusetts, shall not be disclosed or disseminated. Employees must utilize good judgment, common sense, and caution at all times to avoid unauthorized or improper disclosures.
- ii. Employees understand that any disclosure of confidential information without express approval from the Town Administrator is expressly prohibited and is cause for disciplinary action, up to and including termination of employment, as well as possible criminal or civil action, even if they do not benefit personally from the disclosed information. In such an event, the Town may be entitled to specific performance or injunctive relief, as well as any costs incurred by the Town, including attorneys' fees.

f. Political Activities

- i. Employees are expected to comply with all applicable laws and regulations regarding political activities.

g. Nepotism, Dating, and Employee Fraternization

- i. It is the policy of the Town of Shutesbury to prohibit nepotism in the hiring or promoting of individuals or employees based on a family relationship which may be a conflict of interest or create an appearance of a conflict of interest or favoritism. Similarly, romantic relationships between employees, even if consensual, can create an appearance of or an actual conflict of interest, especially when the employees are supervisor and subordinate in the same department. Such relationships can negatively affect performance and cause morale problems and may violate the Massachusetts Conflict of Interest Law (M.G.L. c. 268A).
- ii. The purpose of this policy is to establish restrictions on nepotism, dating, and employee fraternization. As an organization that is heavily dependent upon its human resources, the Town has a vital interest in the maintenance of harmonious, efficient, and productive working relationships between its employees. Personal relationships that cause unrest, lend themselves to the perception of favoritism, adversely affect morale, or otherwise disrupt the good working order of the Town are undesirable. The Town Administrator may implement administrative procedures necessary to implement this policy.
- iii. This Policy is established to create and maintain a professional standard of conduct within the Town to dispel the appearance of favoritism and/or actual or perceived potential conflicts of interest within the Town to ensure the credibility of employees of the Town, and to ensure the safe and efficient operation of the Town.
- iv. The Town will generally avoid the hiring, transfer, or promotion of relatives of officials or employees into situations where the possibility of favoritism or a conflict of interest exists.
- v. Any individual who applies for a position with the Town or for a promotion shall notify the Town Administrator of any “relative(s)” who are currently employed by the Town in any capacity. Failure by an employee to report relationships covered under the Policy compromises the integrity of the Town’s operations, disrupts the work environment, causes decline in morale, and can reduce productivity.
- vi. Employees who are currently involved in a dating or romantic relationship prohibited by this policy are required to notify their Department Head within seven (7) days of the Policy’s effective date.

II. THE EMPLOYMENT LIFE CYCLE

A. HIRING AND ONBOARDING

a. Employment at Will

- i. Employment with the Town is voluntary and the employee is free to resign at will at any time, with or without reason. Similarly, the Town may terminate its employment relationship with any employee at-will at any time, with or without notice or reason, provided there is no violation of applicable federal or state law. Providing false or misleading information on an employment application or during the hiring process may be grounds for rejection of the application or termination of employment.

b. Job Posting Requirements

- i. All job postings must adhere to MGL Chapter 141, "An Act Relative to Salary Ranges Transparency." Notice of vacancies shall generally be posted on the Town website and any other job board websites. Postings shall include: the job classification, pay range, job location, minimum qualification requirements, essential duties and physical requirements, application method and deadline, notice as to the type of employment (e.g., regular full-time, seasonal, part-time with hours), and a statement on benefits.
- ii. All postings and advertisements shall include reference to equal opportunity employment practices. The Select Board, working with the Town Administrator and Personnel Board, develops and sends job advertisements/postings.
- iii. Vacancy Determination and Initial Steps:
 1. When a vacancy occurs, the Select Board determines if the position should be filled. If the decision is made to fill the position (specifically for major positions), the Select Board, or Town Administrator, notifies the Chairperson of the Personnel Board and requests input on job description changes, financial implications, and other considerations.
 2. The Town Administrator will coordinate the details of the hiring process and will make recommendations to the Select Board.
 3. When a Department Head becomes aware of a vacancy and the Select Board decides to fill it, the Department Head will generally provide the Personnel Board with a request to

post/advertise, a recommendation for internal promotion, or a request to modify/eliminate the position. Department Heads also provide information on the availability of budgeted funds, a copy of the job description, and any applicable collective bargaining requirements

iv. Search and Screening Policies

1. The Select Board may waive strict adherence to search procedures. For Department Head positions, the Select Board appoints a Search Committee.
2. A Search Committee typically consists of five to seven individuals, including representatives from the Select Board, Personnel Board, Finance Committee, the Town Administrator, and one to three persons with technical expertise.
3. The purpose of the Search Committee is to screen candidates and make recommendations to the Select Board, not to select the final candidate(s).
4. The Search Committee elects a chair, reviews the process, reviews resumes/applications based on a comparison to job qualifications, selects candidates to interview, develops job-related questions, interviews candidates, checks references, and recommends up to three qualified candidates to the Select Board.
5. The Select Board makes the final selection, negotiates hiring details, and makes the appointment.
6. For non-exempt positions, an abbreviated search procedure is used. The Department Head seeks authorization to fill the position, works with the Town Administrator to place advertisements, interviews candidates, and recommends an individual to the Select Board for hiring/appointment.
7. The Town Administrator or Administrative Assistant strives to notify applicants of this process upon receipt of their resume/application, and prepares a list indicating which candidates appear to meet the minimum qualification(s).

c. Pre-Employment Requirements

- i. Candidates may be required to undergo testing, but most evaluations require a conditional offer of employment from the Town Administrator first.
- ii. Reference checks are mandatory for all candidates prior to giving an offer and are performed by the Town Administrator or their designee.

- iii. Drug & alcohol tests are required for candidates requiring a Commercial Driver's License (CDL), and shall be conducted in accordance with applicable federal regulations. Such testing will be done at the Town's expense and convenience at a location/facility to be designated by the Town.
- iv. Physical exam to determine if they can perform essential job functions, if needed.
- v. Criminal Offender Record Information (CORI) checks are required for all candidates after a conditional offer as allowed or required by federal or Massachusetts state laws. Additional Security Screening/Background checks required when hiring a new Police Chief and Fire Chief.
- vi. Candidates required to operate a motor vehicle while employed must authorize a release of their motor vehicle records, paid for by the Town.

d. Final Offer

- i. No person is officially hired without a new hire offer signed by the Town Administrator with the authority of the Select Board, which must occur *before* the employee begins work.
- ii. Once hiring is approved, the Town Administrator makes best efforts to notify non-selected candidates within one week of hiring approval.
- iii. Specific positions, including Town Administrator, Public Safety Officers, and Department Heads, are required to take an Oath of Office prior to assuming duties.

e. Probationary Period

- i. The first six (6) months of employment in a regular position shall be considered a probationary period. During this period, the employee's performance and suitability for the position will be evaluated via the Performance Evaluation Process. The Town reserves the right to terminate employment at any time during the probationary period without cause and without recourse to the disciplinary procedures outlined elsewhere in this Handbook. In the event that an employee misses any time during their probationary period, said period may be extended by a commensurate amount of time before the employee's status is reviewed.
- ii. The

f. Contracts

- i. Policy Statement: It is the policy of this organization that all employment contracts are to be negotiated directly between the hiring authority and the prospective employee.
- ii. Procedures and Responsibilities
 1. Select Board's Role and Responsibilities:
 - a. The hiring authority is empowered as the primary negotiator for all employment contracts within the Town of Shutesbury.
 - b. Negotiations must be conducted by parties with firsthand knowledge of the employees' day-to-day operational realities and performance metrics to ensure terms are reasonable and do not create logistical problems.
 - c. The hiring authority will be held directly accountable for the terms of the negotiated contract.
 - d. Prior to conducting contract negotiations with employees the Select Board will meet with a representative from the Finance Committee and Personnel Board to discuss budget impacts and review the job description and any other pertinent information.
 - e. The Select Board remains the final appointing and negotiating authority.
 - f. Employees will have the opportunity to provide feedback on the contract process via a survey.

B. Employee Status and Records

a. Employment Categories

- i. Full-Time Employee: An employee who works forty (40) hours a week, inclusive of a meal break for 52 weeks per year, less any authorized paid time off or authorized leaves of absence.
- ii. Regular, Part-Time Employment: Employment with the Town either for a minimum of twenty (20.0) hours to a maximum of thirty seven point four (37.4) hours per week for fifty-two (52) weeks per year, less any authorized paid time off or leaves of absence, or employed for a set amount of hours.
- iii. Seasonal Employment: Employment with the Town on an intermittent basis within a year, or employment with fluctuating hours during a cyclical period not exceeding six (6) calendar months.

- iv. Temporary Employee: An employee who is hired on an interim basis to temporarily supplement the work force, or to assist in the completion of a specific project. Employment assignments in this category are of a limited duration for a period not exceeding six (6) calendar months or less than 20 hours a week.
 - v. Grant Funded Employee: An employee whose position is funded by a grant, where the position may be discontinued with the loss of funding. Grant funded employees are ineligible for benefits.
 - vi. Non-Benefit Eligible Employees: Employees who are not consistently scheduled, such as crossing guards, election workers, and any other similarly situated employee.
 - vii. Exempt Employees: Employees who are paid a salary and are not subject to the minimum wage and overtime provisions of the Fair Labor Standards Act (FLSA). <https://www.dol.gov/agencies/whd/flsa>
 - viii. Non-exempt Employees: Employees who are paid a fixed wage and are eligible for overtime pay in accordance with the provisions of FLSA.
 - ix. Regular Employee: Subject to the provisions of at-will employment, an employee retained on a continuing basis in an ongoing, funded position for a period of more than six (6) months.
- b. Personnel Records and Data Changes
- i. The Town strives to maintain accurate records on all employees. It is the responsibility of each employee to promptly notify their supervisor or the Town Administrator of any changes in personal data. Personal mailing addresses, telephone numbers, number and names of dependents, name change, marital status, emergency contacts, and other such information should be accurate and current at all times. Failure to notify the Town of changes could affect an employee's eligibility for benefits and could impair the Town's ability to contact a friend or family member if an emergency arises. Employees are encouraged to use the employee self-service program in order to maintain their personal information.
 - ii. A personnel file shall be kept for each employee in the Office of the Town Administrator. To ensure the uniformity and confidentiality of employee personnel files, the content of and access to files is limited and shall be controlled in accordance with this Policy. Persons authorized to access personnel files shall be limited to the Town Administrator, the Department Head, members of the Personnel Board, and members of the Select Board.

- iii. Materials originating from the Town that are derogatory to an employee's conduct, service, character, or personality shall not be placed in the personnel file unless the employee has had an opportunity to read the material within ten (10) days of it being placed in the file. The employee shall acknowledge that they have read such material by affixing their signature on the actual copy to be filed. Such signature does not necessarily indicate agreement with its content, but merely signifies that the employee has read the material to be filed.
- iv. Once inserted into an employee's personnel file, documents may only be removed or changed if there is a clear and compelling reason to do so. The employee must make such a request, to the Town Administrator. The Town Administrator will make a determination as to whether the material in question should be removed from the employee's personnel file, or otherwise corrected or amended, in consultation with the employee's Department Head or Supervisor as applicable. If the Town Administrator determines that the material will not be removed or corrected, the employee may submit a written statement explaining the employee's position which shall thereupon be contained therein and shall become a part of such employee's personnel record. The statement shall be included when said information is transmitted to a third party as long as the original information is retained as part of the file.
- v. The employee shall have the right to answer any material filed, and their answer shall be attached to the file copy.
- vi. If any material is placed in an employee's file without proper notice and opportunity to respond, said material shall be removed until such time as the employee has had an opportunity to reply. Materials shall be signed and dated by the employee. Such signing shall constitute agreement with the document, only that the employee has seen it. If appropriate, a witness signature may be required as acknowledgement of receipt.
- vii. In accordance with Massachusetts' law chapter 149, § 52C, any employee shall have the right to examine all material in their personnel file, if requested in writing by the employee. A copy of any such material shall be furnished to the employee at their request within five (5) days of the request. An employee or former employee may be required to reimburse the Town for photocopying costs.

- viii. Some personnel records and employee data may be subject to the Public Records Law and, therefore, subject to disclosure.
- ix. All medical information shall be maintained in confidential separate files.

C. PERFORMANCE, DEVELOPMENT, and PROGRESSIVE DISCIPLINE

a. Performance Evaluations

- i. Performance evaluations establish a framework for regular performance evaluations of Town employees. The goals of the evaluation process are to:
 - 1. Provide employees with clear expectations for and feedback on their job performance.
 - 2. Recognize and acknowledge employee contributions.
 - 3. Identify areas for employee development and improvement.
 - 4. Support a culture of continuous improvement and accountability.
 - 5. Ensure that employee performance aligns with the Town's goals and objectives.
 - 6. Offer an opportunity for self-reflection.
 - a. Give employees and supervisors a 360° feedback loop.
- ii. This policy applies to all regular employees of the Town of Shutesbury, including full-time and part-time employees. Temporary, seasonal, and grant-funded employees may be evaluated at the discretion of their supervisors.
- iii. Frequency of Evaluations
 - 1. Frequency of Evaluations
 - a. Introductory Period Evaluation: New employees will be evaluated upon completion of their introductory period (typically six months).
 - b. Annual Evaluations: Following the introductory period, employees will receive a formal performance evaluation at least annually. More frequent evaluations may be conducted at the discretion of the supervisor or Department Head, or as required by collective bargaining agreements.
 - c. Additional Evaluations: Additional evaluations may be conducted as needed, for reasons including, but not limited to: following a change in job responsibilities, as

part of a Performance Improvement Plan (PIP), and to address specific performance concerns.

2. Responsibilities

a. Employee:

- i. Actively participate in the evaluation process.
- ii. Prepare for the evaluation meeting by reviewing their job description, goals, and accomplishments.
- iii. Be receptive to feedback, identify areas for professional development, and provide feedback to supervisors during the 360° review.
- iv. Implement agreed-upon performance improvement plans.

b. Supervisor

- i. Conduct fair, objective, and timely performance evaluations.
- ii. Provide employees with clear expectations, ongoing feedback, and coaching.
- iii. Complete the evaluation form thoroughly and accurately.
- iv. Discuss both strengths and areas for improvement with the employee.
- v. Develop a performance improvement plan (if necessary) in collaboration with the employee.
- vi. Maintain confidentiality of the evaluation records.

c. Town Administrator

- i. Oversee the implementation of the employee evaluation policy.
- ii. Ensure that supervisors are trained on the evaluation process.
- iii. Review completed evaluations for consistency and completeness.
- iv. Address any employee concerns or appeals related to the evaluation process.

3. Evaluation Process:

- a. Evaluation Form: The Town will use a standardized evaluation form to assess employee performance. The form will include, but not be limited to, the following:

- i. Employee information, job title and description, key responsibilities and goals, assessment of performance in key areas, overall performance rating, employee strengths and areas for development, goals and objectives for the upcoming year, a self-assessment, employee comments, supervisor comments, signatures of the employee and supervisor, and a 360° feedback section.
 - b. Performance Criteria: Employee performance will be evaluated based on a combination of factors, including:
 - i. Quality of work, quantity of work, job knowledge and skills, attendance and punctuality, initiative and problem-solving, communication and interpersonal skills, teamwork and collaboration, adherence to Town policies and procedures, customer service, progress toward goals and objectives
 - 4. Evaluation Meeting
 - a. The supervisor will schedule a meeting with the employee to discuss the evaluation.
 - b. The meeting will be held in a private setting.
 - c. The supervisor will review the evaluation form with the employee, providing specific examples and feedback.
 - d. The employee will have an opportunity to ask questions, provide input, and discuss their self-assessment (see Appendix E).
 - e. The supervisor and employee will collaboratively develop goals and objectives for the upcoming year.
 - f. If necessary, a performance improvement plan will be developed to address any areas needing improvement.
 - b. Performance Improvement Plan (PIP):
 - i. If an employee's performance is not meeting expectations, a Performance Improvement Plan (PIP) will be developed. The PIP will clearly outline:
 - 1. The specific performance deficiencies
 - 2. Measurable goals for improvement
 - 3. A timeline for achieving improvement
 - 4. The support and resources that will be provided to the employee

5. The consequences of not meeting the PIP goals
 6. The PIP will be a collaborative process between the supervisor and the employee.
 7. Regular follow-up meetings will be held to monitor progress.
- ii. Documentation:
 1. All performance evaluations will be documented on the official evaluation form. Appendix F.
 2. The completed evaluation form will be signed by both the employee and the supervisor.
 3. The employee will receive a copy of the evaluation form.
 4. The original evaluation form will be placed in the employee's personnel file. Employees will sign the evaluation form to acknowledge that they have received and reviewed the evaluation. Employee signature does not necessarily indicate agreement with the evaluation.
 5. All documentation related to performance evaluations, including any performance improvement plans, will be kept confidential in accordance with applicable laws and Town policies.
 - iii. Performance Ratings: The evaluation form will include a rating scale. The rating scale includes the following: exceeds expectations, meets expectations, needs improvement, and unsatisfactory
- c. Progressive Discipline
 - i. Progressive discipline provides structured corrective action and to improve and prevent a recurrence of undesirable employee behavior and performance issues. This policy aims to:
 1. Set clear expectations for employee conduct and performance.
 2. Provide a fair and consistent process for addressing performance and conduct issues.
 3. Offer employees opportunities to correct their behavior and improve their performance.
 4. Protect the organization from liability and potential legal challenges.
 5. Create a documented record of performance and conduct issues and corrective actions taken.
 - ii. The Town of Shutesbury expects all employees to adhere to Town policies, procedures, and standards of conduct and performance. When these expectations are not met, this Progressive Discipline Policy will be followed to address and correct the issues. The Town of Shutesbury reserves the right to combine or skip steps in this process

depending on the severity of the offense, the employee's work record, and the impact of the conduct or performance issues on the organization. Additionally, the Town of Shutesbury maintains the right to terminate employment at any time, with or without prior disciplinary action, consistent with applicable employment laws and the terms of employment.

- iii. Progressive Discipline Steps: The typical steps in the Town of Shutesbury's progressive discipline process include, but are not limited to:
 1. Step 1. Verbal Warning/Counseling:
 - a. A discussion between the supervisor and the employee to identify the performance or conduct issue and discuss expectations for improvement.
 - b. The supervisor should clearly explain the unacceptable behavior or performance with specific examples and reference relevant policies.
 - c. The supervisor should explain the expected standards or desired behavior and provide a reasonable timeframe for improvement.
 - d. The supervisor should discuss the impact of the issue on the workplace.
 - e. The supervisor should advise the employee of the potential consequences if improvement is not made or if further infractions occur.
 - f. While considered an informal step, the supervisor should document the conversation, including the date, the specific issue discussed, the expected improvement, the timeframe, and the potential consequences. A summary email to the employee and Select Board is recommended.
 2. Step 2. Written Warning:
 - a. Issued if the issue continues after a verbal warning or for more serious first-time offenses that do not warrant immediate termination.
 - b. The written warning should clearly outline:
 - i. The specific performance or conduct issue, including dates and details.
 - ii. Reference to relevant company policies or procedures.

- iii. The corrective action required and the expected level of improvement.
- iv. A specific timeframe for improvement.
- v. The consequences of failing to improve or further violations, which may include further disciplinary action up to and including termination.
- vi. Space for the employee's response or comments.
- c. The written warning should be reviewed and signed by the employee and Select Board. The employee's signature acknowledges receipt of the warning, not necessarily agreement with its content. If the employee refuses to sign, a note should be made on the document indicating the refusal and the date it was presented. A copy should be provided to the employee and placed in their personnel file.

3. Step 3. Performance Improvement Plan (PIP):

- a. A formal plan outlining specific performance deficiencies, measurable goals, and a timeline for improvement.
- b. The PIP should clearly state:
 - i. The specific areas needing improvement and how current performance is deficient, including specific examples and data.
 - ii. Specific, Measurable, Achievable, Relevant, and Time-bound (SMART) goals for improvement.
 - iii. The metrics that will be used to measure progress.
 - iv. A defined review period (e.g., 30, 60, or 90 days).
 - v. The resources and support the company will provide to assist the employee in achieving the goals.
 - vi. The consequences of not meeting the PIP goals, which can include further disciplinary action, up to and including termination.
 - vii. The PIP should be developed collaboratively where appropriate, reviewed by the Town Administrator, and signed by the employee and manager. Regular check-ins and feedback should occur throughout the PIP period. Failure to

follow through on a PIP can send a (negative message)

4. Step 4. Suspension (May be with or without pay, depending on policy and legal considerations):
 - a. A temporary removal from work as a disciplinary measure.
 - b. Typically used for more serious offenses or when previous steps have not resulted in improvement.
 - c. The duration of the suspension should be clearly communicated in writing, along with the reason for the suspension and any conditions for returning to work.
 - d. Suspension without pay may be considered constructive dismissal if not outlined in policy or employment agreements. Consult with legal counsel before implementing a suspension without pay.
5. Step 5. Final Written Warning:
 - a. A clear and unequivocal warning that further failure to improve or any additional misconduct will likely result in termination.
 - b. Issued when previous disciplinary steps have not been effective in correcting the issue.
 - c. The final written warning should reiterate the ongoing performance or conduct issue, summarize previous disciplinary actions, clearly state the expectation for immediate and sustained improvement, and explicitly state that termination of employment will be the next step if the issue persists.
6. Step 6. Termination of Employment:
 - a. The final step when previous attempts to correct the issue have failed or for severe offenses that warrant immediate termination.
 - b. Decisions regarding termination should be made in consultation with HR and with consideration of all relevant facts and circumstances.
 - c. Termination should be handled in a professional and respectful manner. It may be advisable to deliver paperwork after the initial conversation.
 - d. Thorough and accurate documentation is essential at every step of the progressive discipline process. Documentation should include:

- i. The date, time, and location of any incidents or discussions.
 - ii. A specific description of the violation or performance issue, including facts and relevant details. Use the SBI model (Situation, Behavior, Impact) when documenting.
 - iii. The specific expected standards or desired behavior.
 - iv. Details of any conversations with the employee, including their explanation or response.
 - v. Any agreed-upon plans for improvement and timelines.
 - vi. The level of disciplinary action being taken.
 - vii. The consequences of failing to improve or further violations.
 - viii. Signatures of the employee (acknowledging receipt), Select Board, and any other relevant parties. Note if the employee refuses to sign.
 - ix. Copies of all written warnings, PIPs, and other disciplinary documents should be provided to the employee and retained in their personnel file.
7. Fairness and Consistency: This policy will be applied fairly and consistently to all employees. Similar situations will be handled with similar disciplinary actions. Managers and supervisors are responsible for understanding and applying this policy consistently. The Town Administrator will oversee the application of this policy to ensure fairness and consistency across the organization.
8. While this policy outlines a progressive approach, the Town of Shutesbury reserves the right to modify or skip steps based on the specific circumstances of each situation and the nature of the offense. Severe offenses, such as but not limited to, theft, harassment, violence, illegal activity, or significant safety violations, may warrant immediate disciplinary action up to and including termination, without prior progressive steps.

D. SEPARATION FROM EMPLOYMENT

a. Resignation

- i. Employment with the Town is voluntary. The employee is free to resign at will at any time, with or without reason. Employees are

encouraged to provide reasonable advance notice, typically two weeks, of their resignation to allow for a smooth transition, unless their contract term stipulates otherwise.

b. Termination Process

- i. The Town may terminate its employment relationship with any employee at-will at any time, with or without notice or reason, provided there is no violation of applicable federal or state law. In cases of termination for cause, the Town will follow fair and consistent procedures.

c. Layoff and Reinstatement

- i. In the event of a lack of work or funding, the Town may implement a layoff procedure in accordance with applicable laws and collective bargaining agreements. Employees who are laid off may be eligible for reinstatement to similar positions should they become available within a specified period, as determined by the Town.

d. Exit Procedures

- i. The Town of Shutesbury aims to establish a clear and consistent procedure for employee separations from the Town of Shutesbury, whether voluntary or involuntary to ensure a smooth transition, protect the Town's interests, and provide departing employees with necessary information and resources.
- ii. This policy applies to all employees of the Town of Shutesbury, regardless of employment category (e.g., full-time, part-time, temporary), except where individual employment contracts specify otherwise.
 1. Voluntary Separation (Resignation): Employees are expected to provide written notice of their resignation to their immediate supervisor and the Town Administrator as far in advance as possible, or in accordance with contract terms.
 - a. A minimum of two (2) weeks' notice is requested for all employees. However, depending on the employee's position and responsibilities, a longer notice period may be required or appreciated.
 - b. Resignation Letter: The written notice of resignation should include: the employee's name and position, the effective date of resignation, the reason for resignation (optional), and any offer to assist with the transition, if applicable.
 - c. Acceptance of Resignation:

- i. The Town Administrator will formally acknowledge acceptance of the resignation in writing.
 - ii. The Town reserves the right to adjust the employee's final date of employment, depending on operational needs and the employee's cooperation with the transition process.
 2. Involuntary Separation (Termination)
 - a. Termination for Cause: Termination for cause occurs when the Town terminates an employee's employment due to misconduct, violation of Town policies, unsatisfactory performance, or other legitimate reasons.
 - i. The Town will adhere to its Progressive Discipline Policy (if appropriate given the circumstances) and any applicable collective bargaining agreements or employment contracts when terminating an employee for cause.
 - ii. Documentation of the reasons for termination will be provided to the employee, where appropriate, and retained in the employee's personnel file.
 - b. Termination without Cause: As an at-will employer, the Town may terminate employment without cause, subject to applicable federal and state laws.
 - i. In such cases, the Town will provide the employee with any required notices or payments as outlined in applicable laws, collective bargaining agreements, or employment contracts.
 - c. Layoff: In the event of a layoff due to lack of work or funding, the Town will provide affected employees with written notice as soon as practicable.
 - i. The notice will include the effective date of the layoff and any applicable information regarding severance pay, unemployment claim filing information, benefits continuation, or re-employment rights, in accordance with Town policies and applicable laws.
- iii. Final Pay and Benefits

1. Final Paycheck: Employees will receive their final paycheck, including all accrued and unpaid vacation time, in accordance with Massachusetts law. In the event that an employee is terminated, the Town shall pay all owed wages on the exact day of termination in accordance with the Massachusetts Wage Act, M.G.L. c. 149, § 148. The Town will not provide payment for unused sick or personal leave.
 - a. Deductions will be made for any outstanding obligations to the Town.
 2. Benefits Continuation: Eligible employees may be able to continue their health insurance coverage under COBRA or other applicable laws. Information regarding benefits continuation will be provided upon separation.
 - a. Employees should contact the Town Administrator to discuss their eligibility for benefits continuation and the applicable costs.
 - b. Other benefits, such as retirement plans, will be handled in accordance with plan documents and applicable regulations.
- iv. Return of Town Property
1. Employee Responsibility:
 - a. All departing employees are required to return all Town-owned property in their possession on or before their last day of employment. This includes, but is not limited to: keys, access cards, computers, laptops, tablets, mobile devices, badges, identification cards, documents, files, and data (in any format), tools, equipment, and uniforms, credit cards, purchasing cards, and any other Town-owned property
 - b. Return Procedure: Employees should return all items to their supervisor or a designated Town representative.
 - c. A checklist or sign-off sheet may be used to ensure that all items are returned.
 - d. The Town reserves the right to withhold or deduct from the employee's final pay the value of any unreturned or damaged Town property, to the extent permitted by law.
 - e. In the event that Town-owned property is not returned in accordance with sub-section (b), the Town reserves the right to all legal remedies available, including, but not limited to prosecution for theft of property.

- v. Exit Interview: The Town may conduct exit interviews with departing employees to gather feedback on their employment experience, identify areas for improvement, and facilitate a smooth transition. The exit interview will afford an opportunity to discuss such issues as employee benefits, conversion privileges, and/or return of Town-owned property, such as tools, keys, gas cards, and identification cards. Suggestions, complaints, and questions can also be communicated. Employees are encouraged to participate in exit interviews, but participation is voluntary.
 - 1. Procedure:
 - a. The exit interview may be conducted by the Town Administrator or a designated representative.
 - b. The interview may be conducted in person, by phone, or through a written questionnaire.
 - c. Information shared during the exit interview will be kept confidential, to the extent permitted by law.
 - 2. Confidentiality
 - a. Employees are reminded of their ongoing obligation to maintain the confidentiality of Town information, both during and after their employment.

III. COMPENSATION, BENEFITS, AND LEAVE

A. PAYDAYS

- a. Employees are generally paid on a bi-weekly basis, on a schedule determined by the Town Treasurer and Select Board.

B. PAY DEDUCTIONS

- a. Deductions from employee paychecks will be made for legally required withholdings such as federal and state income taxes, and Social Security and Medicare contributions.

C. ADMINISTRATIVE PAY CORRECTIONS

- a. The Town will make reasonable efforts to correct any administrative errors in employee pay in a timely manner. Employees who believe they have been paid incorrectly should promptly notify their Department Head or Town Administrator.

D. EQUAL PAY POLICY

- a. The Town complies with M.G.L. c.149 §105A and does not discriminate in any way in the payment of wages between sexes or pay any person a salary or wage less than the rates paid to employees of the opposite sex for work of like or comparable character or work of like or comparable operations.
- b. Definition of Wages, Comparable Work, and Working Conditions: Wages shall include all forms of remuneration for employment. Comparable work is work that is substantially similar in that it requires substantially similar skill, effort, and responsibility and is performed under similar working conditions. A job title or job description alone shall not determine comparability. Working conditions shall include the environmental and other similar circumstances customarily taken into consideration in setting salary or wages including, but not limited to: reasonable shift differentials, and the physical surroundings and hazards encountered by employees performing a job.
- c. Effect of Seniority on Salary or Wages: The difference in salary or wage for employees in the same job category who receive longevity pay for length of service that is based on years of service is an allowable practice.
- d. Effect of Certain Types of Leave on Salary or Wages: Time spent on leave due to a pregnancy-related condition and on protected parental, family, and medical leave shall not reduce seniority.
- e. Effect of Education, Training, or Experience on Salary or Wages: Education, training, or experience to the extent such factors are reasonably related to the particular job in question is considered equally in the determination of salary or wages in every job category and is not based on sex.
- f. Inquiries, Discussion, or Disclosing of Salary or Wages: Employees are not restricted in any way from inquiring about, discussing, or disclosing information about either the employee's own wages or about any other employee's wages. The Town does not seek the wage or salary history of a prospective employee from the prospective employee or a current or former employer or require that a prospective employee's prior wage or salary history meet certain criteria; however, if a prospective employee has voluntarily disclosed the information, the Town may confirm the prior wage or salary or permit a prospective employee to confirm prior wages or salary; and the Town may seek or confirm a prospective employee's wage or salary history after an offer of employment with compensation has been negotiated and made to the prospective employee.
- g. No Retaliation: The Town will not discharge or in any manner retaliate against any employee because an employee opposed any act or practice that

is unlawful under M.G.L. c.149 §105A or indicated an intent to: make a complaint or has otherwise caused to be instituted any proceeding under this section; testified or is about to testify; assist or participate in any manner in an investigation or proceeding under this section; or disclosed the employee's wages or has inquired about or discussed wages of any other employee.

- h. Public Record Disclosure of Employee's Salary or Wages: The Town shall not contract with an employee to avoid complying with Section 105, or by any means exempt itself from this subsection; provided, however, the Town may prohibit a human resources employee, a supervisor, or any other employee whose job responsibilities require or allow access to other employees' compensation information, from disclosing such information without prior written consent from the employee whose information is sought or requested, unless the compensation information is public record as defined in M.G.L. c. 4, § 7(26).
- i. Evaluation of Pay Practices: The Town's Personnel Board annually evaluates all job categories and job groupings. If the evaluation identifies a gender-based pay differential that does not meet the justifications under the law, the Town will develop a remedial plan within ten (10) business days and implement the plan in accordance with fiscal year funding not to exceed six months and notify the affected employees. An analysis of the reason for the differential will be conducted to prevent future differentials.

E. TIMEKEEPING

- a. Accurately recording time worked is the responsibility of every employee. Federal and state laws require the Town to keep an accurate record of time worked in order to calculate employee pay and benefits. Daily time worked must be reflected on each employee's timesheet.
- b. Employees must accurately record the time and submit their hours to their Department Head.
- c. Non-Exempt employees who report for work late or who work unauthorized overtime may be subject to disciplinary action.

F. OVERTIME

- a. Non-exempt employees are eligible for overtime pay at the rate of one and one-half times their regular rate of pay for all hours worked in excess of forty (40) hours in a workweek, as required by the Fair Labor Standards Act (FLSA). Overtime work must be authorized in advance by the employee's supervisor. Unauthorized overtime worked may be subject to disciplinary action.

- b. Exempt employees are expected to work the hours necessary to fulfill their job responsibilities, which may include hours in excess of the standard workweek, without additional compensation.

G. BENEFITS

a. Health Insurance

- i. Most employees meeting the definition of an employee according to M.G.L Chapter 32B, Section 2 and work a minimum of twenty hours per week in a combination of regularly scheduled regular or temporary positions with the exclusion of seasonal, intermittent, or emergency employees, are entitled to join the Town's group health and life insurance programs. The Town will pay 75% of the chosen health insurance plan, and the employee's share shall be deducted from their paycheck. Employees must make their choice for health insurance within thirty days of hire or upon a qualifying event. Failure to elect health care coverage within thirty days will result in ineligibility for coverage until the next Open Enrollment Period or until a qualifying event occurs. Eligibility for using the chosen plan takes place on the first day of employment. If an employee is out of work for more than 30 consecutive days due to unpaid leave of absence, including unpaid disciplinary action or medical leave, the employee will be responsible for payment of 102% of the cost of health insurance. If you fall into any of these categories, you must contact the Town Treasurer's office for the amount due and payment information. The Town adopted G.L. c. 32B, § 9A in 2004, which permits coverage for its retirees; however, said retirees, if age eligible, shall elect coverage through the town, limited to its Medicare plans. The Town contributes 50% of the monthly cost and the remaining amount is paid by the retiree. Following termination of employment, federal rules and regulations govern continuation of health insurance under COBRA, the participant pays 102% of the premium for 18-36 months depending.
- ii. Hampshire County Group Insurance Trust Wellness Initiative
 - 1. The Wellness Initiative strives to promote prevention, wellness, and early detection to its Member Units. As a new subscriber to Blue Cross Blue Shield through the Hampshire County Group Insurance Trust we hope that our wellness programs will inspire you to a new level and culture of health. Below are some of the hallmark programs. Should you have any questions

please contact program director Michele Komosa at
michelek@hcg.it.org or (413) 584-1300 x173

2. "A HEALTHY ME" is open to Primary Subscribers. Create an account at www.ahealthyme.com/login and engage in healthy activities to earn 100 points and earn a \$100.00 Gift Card. This campaign will run every July 1st through June 30th.
3. Fitness and Healthy Behavior Choices Challenge is an all-time favorite. Dates will be announced. Register at: <https://app.wellable.co/HCGIT> Participate and be entered into weekly raffles for Hallmark Gift Cards.
4. Learn to Live is a free online Cognitive Behavioral Therapy program. Evidence-based wellbeing and cognitive behavioral therapy (CBT) programs, clinician coaching, crisis response, mindfulness and wellness tools, and guided care navigation—available anytime, anywhere. Learn to Live's clinically proven cognitive behavioral therapy programs support some of the most common mental health problems. Programs include Depression, Stress Anxiety & Worry, Social Anxiety, Panic, Insomnia, Substance Use, and Resilience. To register and take the assessment visit this website <https://www.learntolive.com/partners> enter code: HCGIT.
5. My Blue offered by Blue Cross Blue Shield, provides members with various tools and resources to manage their health and healthcare. These include access to health assessments, coverage information, provider directories, and options for virtual care. Members can also find information about incentives, discounts, and wellness programs. A subscriber can also: access details about your plan's benefits, including in-network and out-of-network coverage, copays, and deductibles, locate doctors, hospitals, and other healthcare providers within the Blue Cross Blue Shield network, access discounts on fitness gear, gym memberships, healthy eating options, and more, utilize telehealth options for convenient access to care, including virtual doctor's visits through Well Connection, update your contact information easily through MyBlue, and order a new or replacement member ID card. To register for My Blue please visit this website: <https://member.bluecrossma.com/register>

b. EDUCATIONAL ASSISTANCE PROGRAM

- i. The Town encourages employees to seek professional development opportunities that will enhance their job performance and benefit the Town. Regular full-time employees who have successfully completed their introductory period may be eligible for educational reimbursement for job-related courses or degree programs, subject to the availability of funds and prior approval by the Town Administrator.
- ii. Employees must submit a written request for educational reimbursement to their Department Head for review and approval prior to enrolling in the course or program. The request should include information about the course content, cost, and its relevance to the employee's current position or potential career advancement within the Town.
- iii. Course cost must be approved in advance. Educational reimbursement of 100% will be made for registration fees, books, and tuition based upon a passing grade of B- or better.
- iv. Grade and payment certification is required before reimbursement. The employee will be obliged to remain in the Town employment for six (6) months after completion of the course, or full reimbursement for the last courses will be deducted from final paycheck at time of termination.

c. Professional Development

- i. The Town believes that investing in our employees' professional development not only enhances individual skills and career satisfaction but also strengthens our ability to serve the community effectively. To support your development the Town may offer or sponsor a variety of opportunities, including but not limited to:
 1. Training and Workshops: Participation in internal or external training sessions, seminars, or webinars to improve job-specific skills.
 2. Continuing Education: Financial assistance for courses, certifications, or degrees that are directly related to an employee's current role or future career path within the Town.
 3. Mentorship and Coaching: Pairing employees with experienced colleagues or managers to provide guidance, share knowledge, and support career goals.
 4. Conferences and Seminars: Attending industry conferences to stay current with best practices and network with professionals in the field.

ii. Employee and Supervisor Responsibilities

1. Employees are encouraged to take an active role in their own career development. This includes identifying areas for growth, researching relevant opportunities, and discussing professional goals with their supervisor during performance reviews.
2. Supervisors are responsible for supporting their employees' development. This involves providing regular feedback, helping to identify growth opportunities, and collaboratively creating a development plan that aligns with both the employee's career aspirations and the needs of the department.

iii. Application and Approval Process

1. Employees seeking to participate in a professional development activity should first discuss the opportunity with their supervisor. A formal request may be required, which should include details about the program, its cost, and how it will benefit the employee and the Town. Approval is subject to a number of factors, including budget availability, departmental needs, and the direct relevance of the training to the employee's role.

d. Personnel Board

i. Departmental Meetings

1. The Town's Personnel Board is committed to fostering a positive and productive work environment for all employees. To ensure open communication and a deep understanding of departmental needs, the Board will regularly sponsor meetings with various Town departments.
2. Listening Sessions: These informal meetings provide an opportunity for the Board to meet with employees, hear their feedback, and discuss workplace issues directly. They are a valuable forum for employees to share their perspectives and help shape Town policies.
3. Celebrating Success: The Board will also attend departmental meetings or host special sessions to recognize teams and individuals for their accomplishments, underscoring the importance of their contributions to the Town's mission.

IV. PAID AND UNPAID LEAVE

A. FAMILY AND MEDICAL LEAVE ACT INCLUDING MILITARY FAMILY LEAVE (FMLA)

- a. Eligible employees may be entitled to unpaid leave for qualifying family and medical reasons in accordance with the Family and Medical Leave Act (FMLA). Employees should consult the full FMLA policy, 29 U.S.C. § 2601, et seq. , for details on eligibility, qualifying reasons, and procedures for requesting leave.

B. MILITARY SERVICE LEAVE

- a. The Town will provide leave for employees who are called for active military service in accordance with applicable federal and state laws, including the Uniformed Services Employment & Reemployment Act of 1994 (38 U.S.C. §§ 4301-4335) and any other applicable state or federal law with respect to employment, reemployment and protection of employee benefits during military service. Employees returning from military service will be entitled to reinstatement to their positions in accordance with these laws. The Town shall not discriminate against any employee because of past, present, or future application for, or membership in a uniformed armed service.

C. TERMINAL LEAVE

- a. Terminal leave provisions, if any, will be governed by applicable collective bargaining agreements or individual employment contracts.

D. UNPAID LEAVE OF ABSENCE

- a. Employees may request an unpaid leave of absence for personal reasons.
- b. An employee seeking a leave of absence shall submit a written request to the Town Administrator explaining the reasons why a leave is requested, and how long a leave the employee is requesting. Such a written request shall, except in case of emergency, be submitted to the Town Administrator at least four (4) weeks prior to the date on which the employee wishes to start the leave. The Town Administrator shall have the sole discretion as to whether to approve a request for a leave of absence, and as to the duration of any leave approved. Requests for unpaid leave of leave will be evaluated based on a number of factors, including anticipated workload requirements and staffing considerations during the proposed period of absence.

E. SMALL NECESSITIES LEAVE ACT

- a. Eligible employees may be entitled to unpaid leave for certain small necessities related to their children's school activities or medical appointments, or to accompany an elderly relative to medical, banking, or legal appointments, in accordance with the Massachusetts Small Necessities Leave Act. Employees should consult the full policy for details on eligibility and procedures for requesting leave.

F. DOMESTIC VIOLENCE LEAVE ACT

- a. Eligible employees or their covered family members who are victims of abusive behavior may be entitled to up to 15 days of unpaid leave in any 12-month period to address issues directly related to the abuse, in accordance with the Massachusetts Domestic Violence Leave Act. Employees should consult the full policy for details on eligibility and procedures for requesting leave.

G. PARENTAL LEAVE ACT

- a. Eligible employees may be entitled to unpaid parental leave for the birth or adoption of a child in accordance with the Massachusetts Parental Leave Act. Employees may use accrued vacation, sick and personal time during their Parental Leave Act (PLA) leave. At the conclusion of and contiguous to PLA leave, an employee may request an unpaid leave of absence for up to three (3) additional months for specific child health care needs or pregnancy related disability that is documented. This extended leave option shall be consistent with personal leave provisions of applicable collective bargaining agreements, Town personnel policies and provisions of M.G.L. c. 31, §37. This additional leave requires Town Administrator approval. The employee will provide the request for additional leave to their Department Head at least two (2) weeks prior to the end of the basic leave period. The Department Head will then submit the employee's request for additional leave, exceeding the twelve (12) weeks to the Town Administrator along with their (Department Head's) recommendation (memorandum) for decision. Factors influencing the recommendation will be indicated by the Department Head, considerations such as operational and staffing impacts or concerns.

H. PREGNANT WORKERS FAIRNESS ACT

- a. The Town of Shutesbury complies with the Pregnant Workers Fairness Act Chapter 54 of the Acts of 2017 (the Act") prohibiting discrimination in employment, M.G.L. c 151B, §4. The Act, which took effect on April 1, 2018, expressly prohibits employment discrimination on the basis of pregnancy

and pregnancy-related conditions, such as lactation or the need to express breast milk for a nursing child. It also describes employers' obligations to employees that are pregnant or lactating and the protections these employees are entitled to receive. Generally, employers may not treat employees or job applicants less favorably than other employees based on pregnancy or pregnancy-related conditions and have an obligation to accommodate pregnant workers.

- b. Upon request for an accommodation, the Town will communicate with the employee in order to determine a reasonable accommodation for the pregnancy or pregnancy-related condition. This is called an "interactive process", and it will be done in good faith. A reasonable accommodation is a modification or adjustment that allows the employee or job applicant to perform the essential functions of the job while pregnant or experiencing a pregnancy-related condition, without undue hardship to the Town.
- c. The Town will accommodate conditions related to pregnancy, including post-pregnancy conditions such as the need to express breast milk for a nursing child, unless doing so would pose an undue hardship. "Undue hardship" means that providing the accommodation would cause the Town significant difficulty or expense. An employee will not be required to accept a particular accommodation, or to begin disability or parental leave if another reasonable accommodation would enable the employee to continue working.

I. PERSONAL LEAVE

- a. Employees shall be entitled to a number of hours equivalent to two (2) paid, pro-rated personal days per year. This time does not accrue beyond the end of the fiscal year. In the event that an employee holds two positions, only one of which is benefitted, the personal time shall be based on the total hours working in both in positions, not to include overtime.
- b. Each personal day is proportionate to the percent of total hours worked, in relation to an eight (8) hour full-time day. For example, a twenty (20) hour workweek divided by five (5) days would be a four-hour personal day. Employees may take partial personal days with the Supervisor's permission.

J. SICK LEAVE

- a. In accordance with M.G.L. c. 149, § 148C, Earned Sick Time Law, employees will earn one hour of sick time for every 30 hours worked, up to a maximum of 40 hours per calendar year (or other 12-month period as defined by the company). Exempt employees are presumed to work 40 hours per week for accrual purposes unless their regular workweek is shorter.

- b. Employees can begin to accrue sick time from their first day of employment, but they may not use any accrued sick time until after their 90th calendar day of employment. Employees may use earned sick time for:
 - i. Their own or a family member's physical or mental illness, injury, or medical condition. A "family member" includes a spouse, domestic partner, child, parent, or parent of a spouse.
 - ii. Routine medical appointments.
 - iii. Pregnancy loss or a failed assisted reproductive technology procedure, adoption, or surrogacy (for themselves or their spouse).
 - iv. Addressing the psychological, physical, or legal effects of domestic violence.
 - v. For foreseeable absences (e.g., a scheduled doctor's appointment), employees must provide advance notice of up to seven days. For unforeseeable absences, employees must provide notice as soon as practicable.
- c. Employees may carry over up to 90 days of unused sick time to the next calendar year. However, they may not use more than 40 hours of earned sick time in any single calendar year.
- d. Emergency Sick Leave Bank: a bank of sick leave time shall be established to allow for voluntary contribution of time by employees for the emergency use by an employee whose leave has been exhausted. Procedures for such a bank will be established and overseen by the Personnel Board or its designee.
- e. The Town is not required to pay out accrued but unused sick time upon an employee's termination or separation from employment.

K. VACATION LEAVE

- a. The Town of Shutesbury provides paid vacation time to eligible employees to support a healthy work-life balance. Vacation leave is subject to the Massachusetts Wage Act M.G.L. c. 149, § 148.
- b. Vacation time accrues from the beginning of employment period but may not be used until the end of the review period, unless given permission by the hiring authority.
- c. Employees are encouraged to use their vacation time and should request time off in advance with their supervisor.
- d. Earned vacation days which are not used in the year earned may be accumulated to a maximum of the employee's annual allotment of vacation time or to a maximum number of hours equivalent to twenty (20) days, which is smaller. The time must be used before the end of the next fiscal year.

- e. Part-time employees who work 20 or more of the regular hours as defined in Section 5 are entitled to paid vacation on a pro-rated basis. For example, a twenty (20) hour work week divided by five (5) days would be a four-hour vacation day. In the event that an employee holds two positions, only one of which is benefitted, the vacation time shall be based on the total hours worked in both positions, not to include overtime.
- f. The supervising authority and employee shall schedule all vacations so that the vacation time will cause the least interference with the performance of the regular work of the Town. Employees may take partial vacation days with the Supervisor's permission.
- g. Vacation Accrual Chart
- h.

Time in Service	Vacation Time Earned
1-6 months	5 days
6-12 months	An additional 5 days
2 - 5 years	15 days
6 - 10 years	20 days
11 - 15 years	25 days
16 - 20 years	30 days
20+ years	1 additional day per year

- i. In accordance with Massachusetts law, all accrued but unused vacation time is considered earned wages. Upon an employee's separation from the company, whether voluntary (resignation) or involuntary (termination), the company will pay out all accrued, unused vacation time in the employee's final paycheck.
 - i. Involuntary Termination: Final wages, including accrued vacation time, will be paid on the day of discharge.
 - ii. Voluntary Termination: Final wages, including accrued vacation time, will be paid on the next regularly scheduled payday.

L. JURY DUTY AND COURT APPEARANCE LEAVE

- a. Employees who are summoned for jury duty must provide a copy of their official jury summons in order to be granted paid leave. Employees must notify their supervisor or any time off request.

- b. In accordance with M.G.L. c. 234A, § 48, all regular employees who are trial or grand jurors, shall be given paid time off to said jury service. Employees shall be paid for the first three days of jury service. "Regularly employed" includes part-time, temporary, and casual employment as long as the work hours can be reasonably determined.
- c. Employees are expected to return to work on any day they are released from jury duty or a court appearance and their normal work hours have not concluded.
- d. In accordance with M.G.L. c. 268, § 14A, the Town of Shutesbury shall not discharge or deprive a person of their employment because of their attendance or service as a grand or trial juror.

M. BEREAVEMENT LEAVE

- a. Employees shall be provided three (3) paid days of bereavement leave in the event of the death of a close family member or loved one, including, but not limited to: a spouse, domestic partner, child, parent, grandparent, or sibling. Additional time off beyond the allotted paid leave may be granted as unpaid leave on a case-by-case basis. Employees may also be able to use accrued sick time, personal time, or vacation time for this purpose.

N. VOTING LEAVE

- a. The Town encourages all employees to exercise their right to vote. In accordance with Massachusetts law M.G.L. c. 149, § 178, employees who are entitled to vote and who work in a manufacturing, mechanical, or mercantile establishment may be granted a leave of absence for up to two hours after the polls open. All other employees must make a request to their supervisor in advance of the election.

O. HOLIDAY LEAVE

- a. Employees are granted paid holidays as determined annually by the Select Board. Employees are only eligible for receiving paid holidays if they are actively working for the Town when the holidays are observed.

New Year's Day	Memorial Day
Martin Luther King Jr. Day	Juneteenth
President's Day	
Patriots Day	Independence Day
Labor Day	Day After Thanksgiving
Columbus Day	Christmas Day
Veterans Day	Day After Christmas
Thanksgiving Day	

In recognition of staff who may celebrate different holidays, the Town offers two (2) floating holidays.

IV. WORKPLACE POLICIES AND CONDUCT

General Conduct and Rules

A. WORK SCHEDULES AND ATTENDANCE

- a. The Town has established the following weekly schedule of public business hours: from 9:00 AM to 4:00 PM, Monday through Thursday and 9:00 AM to 12:00 PM on Friday. Regular full-time employees are expected to work forty (40) hours per week. With written approval of the Town Administrator, the Department Head may modify the actual work hours of staff due to the specific needs of the department. The Town's public business hours may be modified at any time at the sole discretion of the Town Administrator.
- b. Employees are expected to be at work, in their designated work areas, for the established hours each day. Employees are expected to arrive promptly at the start of their workday and take the appropriate allotted time for lunch and breaks.
- c. Regular and punctual attendance is essential for the efficient operation of the Town. Employees are expected to report to work on time and adhere to their assigned work schedules. Excessive absenteeism or tardiness may result in disciplinary action. Employees must notify their supervisor in advance of any anticipated absence, in accordance with departmental procedures.
- d. During the workday, employees shall not spend time on non-work related matters. Town resources, including time and equipment, are to be used for official Town business only.

B. NON-SOLICITATION

- a. To prevent unnecessary interference with employees' work, an employee is prohibited from soliciting another employee in working areas while either the person doing the soliciting or the person being solicited is on assigned work time. Solicitation by non-employees in work areas is prohibited at all times.
- b. Distribution by employees of advertising material, handbills, electronic, and printed or written literature of any kind is prohibited on assigned work time

and at all times in work areas. Distribution of literature by non-employees in working areas is prohibited at all times.

- c. For the purpose of this requirement, work times means those periods when an employee has duties or tasks to perform, but does not include rest periods, lunch periods, or similar personal time which may be paid time. The only exceptions to this policy are special exemptions for Town-adopted or sponsored programs for solicitation or distribution which have been approved, in advance, by the Town Administrator. This policy is not intended to restrain or interfere with any rights afforded to our employees by law or by an applicable collective bargaining agreement.

C. EMPLOYEE CONDUCT AND CUSTOMER SERVICE

- a. Employees are expected to maintain high standards of conduct and comply with all Town policies, rules, and regulations. Unsatisfactory conduct or violation of work rules may result in disciplinary action, up to and including termination of employment. Examples of conduct that may lead to disciplinary action include, but are not limited to: insubordination, dishonesty, theft or misuse of Town property, violation of safety rules, excessive absenteeism or tardiness, unsatisfactory job performance, harassment or discrimination of any kind, workplace violence or threats of violence, violation of the Town's technology use policies.
- b. All employees of the Town of Shutesbury are expected to provide excellent customer service to meet the needs of its residents and citizens in a consistent, efficient, courteous and professional manner.
- c. Employees are expected to conduct themselves in a professional and respectful manner at all times while on Town premises or engaged in Town business. Inappropriate or disruptive behavior will not be tolerated and will result in disciplinary action.

D. WORKPLACE ATTIRE

- a. Neat, appropriate, and professional attire contributes to the morale of all employees and affects the business image the Town presents to its customers and visitors. It is required that all employees report to work in attire appropriate to their work settings. Employees should always ensure that their personal grooming is consistent with a workplace environment.
- b. Supervisors will inform employees of improper attire and will determine the appropriate course of action if an employee appears at work in inappropriate attire.

E. DRUG AND ALCOHOL USE AND DRUG TESTING

- a. The Town is committed to maintaining a safe and productive workplace free from the effects of drug and alcohol use. Employees are prohibited from reporting to work or being under the influence of alcohol or illegal drugs while on duty. Additionally, the manufacture, distribution, sale, dispensation, possession, storage, or use of a controlled substance, unauthorized prescription drug, or drug paraphernalia on Town premises or during business hours is strictly prohibited.
- b. The Town reserves the right to conduct drug and alcohol testing in accordance with applicable laws and policies, particularly in safety-sensitive positions or when there is reasonable suspicion of impairment. Employees who test positive for the presence of alcohol or illegal drugs, or who refuse to be tested, will be subject to disciplinary action, up to and including termination of employment.

F. WORKPLACE VIOLENCE PREVENTION

- a. The Town is committed to preventing workplace violence and to maintaining a safe work environment. All employees must be treated with courtesy and respect at all times. Conduct that threatens, intimidates, or coerces another employee or member of the public will not be tolerated. Firearms, weapons, and other dangerous or hazardous devices or substances are prohibited from Town premises without proper authorization.
- b. All threats of or actual violence, both direct and indirect, should be reported immediately to the supervisor and/or the Town Administrator. The Town will promptly and thoroughly investigate all reports of threats or violence. Anyone determined to be responsible for threats or acts of violence will be subject to prompt disciplinary action, up to and including termination of employment and possible civil or criminal action.

G. SAFETY

- a. Each employee is expected to obey safety rules and to exercise caution in all work activities. Employees must immediately report any unsafe conditions to their supervisor, Town Administrator, or Select Board. Employees who violate safety standards, who cause hazardous or dangerous situations, or who fail to report or, where appropriate, remedy such situations, may be subject to disciplinary action, up to and including termination of employment.
- b. In the case of accidents that result in injury, regardless of how insignificant the injury may appear, employees should immediately notify their supervisor

and/or the Town Administrator to comply with laws and to initiate insurance and workers' compensation benefits procedures.

H. HARRASSMENT POLICY

- a. The Town of Shutesbury is committed to providing a work environment free of unlawful harassment, including sexual harassment. Harassment based on race, color, religion, national origin (including unlawful language proficiency requirements), age (if you are over 40 years or older), sex (including pregnancy), gender identity, sexual orientation, genetic information, ancestry, military service, marital status, disability or on any other basis protected by federal, state, or local law or ordinance is not permitted.
- b. Definition of Sexual Harassment: "Sexual harassment" means sexual advances, requests for sexual favors, and verbal or physical conduct of a sexual nature when:
 - i. Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment;
 - ii. Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual; or
 - iii. Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment.
- c. The dissemination of sexually explicit voicemail, email, graphics, downloaded material or websites in the workplace is strictly prohibited.
- d. Any employee who believes that they have been subjected to harassment has the right to file a complaint with the Town Administrator or Select Board. The Town will promptly and thoroughly investigate all complaints of harassment in a fair and expeditious manner. Retaliation against an individual who has complained about harassment or for cooperating with an investigation is unlawful and will not be tolerated.
- e. Each Town employee is personally responsible for ensuring that the employee's conduct does not harass any other employee. Supervisory level employees are responsible for monitoring the workplace to keep it free of harassment and for reporting any violations of this policy that they become aware of.

USE OF TOWN PROPERTY AND RESOURCES

A. TOWN EQUIPMENT

- a. Town-owned equipment and property are to be used for official Town business only. Employees are responsible for the proper care and use of any Town equipment assigned to them. Unauthorized use or damage to Town equipment or property may result in disciplinary action.
- b. The Town reserves the right to monitor its workplace and inspect Town-owned property, including but not limited to: desks, computers, email systems, and voicemail. Such monitoring and inspections will be conducted for legitimate business purposes, such as ensuring compliance with policies, maintaining security, and investigating misconduct.

B. INFORMATION TECHNOLOGY RESOURCES GENERAL USE POLICY

- a. The Town of Shutesbury provides information technology resources ("Town ITRs") to employees to enhance productivity and efficiency in performing their job duties. Town ITRs, include but are not limited to: computers, laptops, tablets, mobile devices, telephones, printers, copiers, scanners, software, applications, and programs, email systems, internet access, network and data storage systems, and social media platforms used for Town business. All data existing within the Town information technology infrastructure is considered property of the Town and no assumption of privacy may be made. Employees who violate this policy may be subject to disciplinary action, up to and including discharge.
- b. Email and Internet:
 - i. Town-provided email and internet access are primarily for business purposes.
 - ii. Employees should exercise caution when opening emails or attachments from unknown senders to prevent phishing or malware infections.
 - iii. Employees should not use Town email or internet for personal activities that are illegal, unethical, or violate Town policies.
 - iv. The Town may monitor email and internet usage to ensure compliance with this policy and for security purposes.

c. Acceptable Use

- i. Town ITRs are primarily for conducting official Town business. Employees must use Town ITRs in a professional, ethical, and lawful manner.
- ii. Employees are responsible for the security and confidentiality of their Town ITRs and must take precautions to prevent unauthorized access.
- iii. Employees must comply with all software licensing agreements and copyright laws.
- iv. Employees should save all work-related documents to their designated network directory (e.g., Google Drive) or other Town-approved storage solutions.

d. Prohibited Use

- i. Town ITRs are strictly prohibited from any illegal activity, including but not limited to:
 1. Downloading, accessing, or distributing child pornography or obscene material
 2. Harassment, discrimination, or threats
 3. Copyright infringement/Unauthorized access to other systems or data ("hacking")
 4. Any activity that violates Town policies, including:
 5. Disclosure of confidential information
 6. Inappropriate communications
 7. Personal gain or commercial activity
 8. Excessive personal use that interferes with job duties
 9. Intentional damage to Town ITRs
 10. Circumventing security measures
 11. Installing unauthorized software or hardware
 12. Misrepresenting oneself or the Town in electronic communications
 13. Creating, accessing, storing, or transmitting offensive electronic material.

e. Social Media

- i. See Appendix A

f. Artificial Intelligence

- i. See Appendix B

g. Security and Monitoring

- i. The Town may monitor, access, and disclose any information on Town ITRs, including emails, files, internet usage, and communications, with or without notice.

- ii. Employees should have no expectation of privacy when using Town ITRs.
 - iii. Employees are responsible for protecting their passwords and must not share them with others (except as required for Town business and with supervisor knowledge).
 - iv. The Town may implement security measures to protect its ITRs, and employees must comply with these measures.
- h. Town-Owned Devices
- i. Employees are responsible for the care and security of any Town-owned devices assigned to them.
 - ii. Town-owned devices should not be used for personal purposes unless explicitly permitted.
 - iii. Employees must report any loss, theft, damage, or malfunction of Town-owned devices immediately.
- i. Enforcement
- i. The Town will investigate any reported violations of this policy. Violations of this policy may result in disciplinary action, up to and including termination of employment, and may also lead to legal consequences.
- j. Offensive Electronic Materials Policy
- i. Employees are prohibited from creating, accessing, storing, or transmitting offensive electronic materials using Town ITRs. This includes materials that are discriminatory, harassing, sexually explicit, or otherwise inappropriate for the workplace. Employees who receive or encounter such materials should report them immediately to the Town Administrator or Select Board. Supervisors who are informed of offensive materials should take steps to preserve the information, document actions taken, and complete an incident report. Please see Appendix C for the reporting form.

C. TELEPHONE USAGE

- a. The telephone is provided for official Town business. It is important that employees are always polite, courteous, and professional in dealing with town residents, the general public, or companies on the phone.
- b. Employees should strive to limit their personal calls to break or meal/lunch periods. Personal calls shall not interfere with the employee's ability to perform the essential functions of their job.

D. TRAVEL AND VEHICLE USE

a. Travel

- i. It is the policy of the Town to reimburse employees for work related travel, including the cost of transportation, meals, registration and lodging, provided such travel is approved in advance by the Town Administrator or their designee. This policy document provides staff with an organized source of information regarding Town policies and related guidelines relative to acceptable travel and the guidelines required to initiate a travel request, document travel expenses, and initiate the process for reimbursement of travel related expenses.
- ii. All travel requests must be approved in accordance with this policy and performed in the conduct of official Town business. Failure to adhere to the provisions contained in this policy may result in a rejection of the requested reimbursement. The Town Accountant is the party responsible for reviewing travel reimbursement requests. All reimbursement requests must be accompanied by the appropriate approval and expense documentation. Travel to seminars or while conducting Town business are exempt from this policy unless lodging is required.
- iii. Travel within 50 miles of the Town does not require a Request for Travel form, however, employees must request and receive the approval of the Town Administrator or their designee if expenses incurred (other than mileage, parking and/or tolls) are going to be paid by the Town or submitted for reimbursement. A Time-Off Request must be completed and approved by the Town Administrator for Department Heads. Actual mileage will be reimbursed at a rate established by the Town Administrator. For purposes of mileage reimbursement, round trip mileage will be calculated using Shutesbury Town Hall or the employee's residence (if closer) as the departure and arrival point. Note: reimbursement under this section does not apply to those employees presently receiving a "car or gas allowance".
- iv. When personal vehicles are used for out-of-state travel, employees will be reimbursed at the lesser of an advance purchase round-trip coach class airfare, or an amount based upon the number of miles at the current mileage rate.
- v. The Town Administrator, or their designee, reserves the right to reject any request for travel or time-off covered by this policy.

- vi. Employees' actions and behavior, while traveling on Town business at Town expense, reflect on the Town. Professionalism is expected of Shutesbury employees at all times during this type of travel. Any action which is inappropriate or would give the appearance of being inappropriate should be avoided and may subject an employee to disciplinary action up to and including discharge.

b. Vehicle Use

- i. The Town of Shutesbury has set forth guidelines for reimbursement or compensation for employee use of personal vehicles; the guidelines under which Town vehicles will be authorized to Town personnel; and the guidelines under which Town vehicles may be used.
- ii. The provisions of this policy apply to all employees in Town service with the exception of the Town Administrator. Employees whose employment is regulated by collective bargaining agreement are subject only to those provisions of this policy not specifically regulated by agreement. Definitions:
 - 1. Municipal Vehicle: those automobiles, trucks, vans, or other self-propelled equipment owned, rented, or leased by the Town and licensed for travel on a public way.
 - 2. Expense Reimbursement: that payment for approved expenses relating to personal automobile use upon receipt of written documentation. Expense reimbursement is not considered to be a salary item.
 - 3. Personal Automobile: automobile owned or available for private use by the employee.
- iii. It is the policy of the Town that certain positions require employee access to municipal vehicles, either during the work shift or on a twenty-four (24) hour on-call basis. Town vehicles are not personal vehicles and are not for personal use. Town vehicles should be viewed as belonging to the citizens of Shutesbury and are assigned solely for purposes consistent with providing services to those citizens.
- iv. Employees authorized to operate Town vehicles must possess a valid driver's license and maintain a safe driving record.
- v. The Select Board must authorize the assignment of any Town-owned vehicle. Employees assigned a Town vehicle will be provided with a copy of this policy and will be required to sign a confirmation of receipt.
- vi. When an authorized employee uses a personal automobile for work-related travel, they shall be reimbursed at a mileage rate established by the Select Board. The mileage rate includes the costs of

gasoline, repairs, insurance and general wear and tear on the automobile. In addition to the mileage rate, the Town will reimburse employees authorized to travel outside of Shutesbury, driving personal or municipal vehicles, for tolls and reasonable parking expenses, when receipts are provided. Employees will not be reimbursed for tolls, which would normally be paid by the employee during their normal commute to work.

- vii. In the event an employee is involved in an accident while operating a Town-owned vehicle, the employee is responsible for immediately notifying their supervisor and the Police Department. Employees involved in accidents while using their personal vehicle on Town business should also notify their supervisor promptly.
- viii. Failure to comply with any and all provisions of this policy may result in disciplinary action up to and including removal of Town vehicle privileges, suspension, and/or termination from Town service.

X. COMPLAINT RESOLUTION

A. COMPLAINT RESOLUTION PROCESS

- a. An employee may submit a written complaint outlining an employee's concern arising out of an interpretation or application of the specific terms of the Personnel Handbook to their immediate supervisor. The complaint will be processed in the following manner
 - i. Step 1 – Department Head: No later than five (5) work days after the event giving rise to the complaint, or five (5) work days after the employee should reasonably have learned of the event giving rise to the complaint, whichever is later, the employee must submit a written complaint to their immediate supervisor. The written complaint must contain the specific term(s) identifying the specific policy allegedly violated by the Town. The failure to do so will be sufficient grounds to refuse to process the complaint. Within five (5) workdays after receiving the complaint, the immediate supervisor and the employee shall meet to discuss the complaint. The immediate supervisor shall give their written answer within five (5) workdays of said meeting. If the Department Head is the immediate supervisor, then Step 2 is the first step of the complaint resolution process

- ii. Step 2 – Town Administrator: If the complaint is not resolved at Step 1, the employee may present the complaint in writing to the Town Administrator within five (5) work days of receiving the Step 1 response, or within five (5) work days of the date the Step 1 response was due if no response was provided.
- iii. Written Presentation – All complaints presented at any step of the complaint resolution procedure shall include the facts giving rise to the complaint; the provision(s) of this Policy, if any, alleged to have been violated; and the remedy sought. All complaints shall be signed and dated by the aggrieved employee. All written answers submitted by the Town shall be signed and dated by the appropriate Town official.

XI. AMENDMENT TO THE PERSONNEL HANDBOOK

- A. The purpose\ of this Handbook is to establish the procedures for amending the Town of Shutesbury Personnel Handbook (hereinafter referred to as "the Handbook") to ensure that it remains current, compliant with applicable laws, and reflective of the Town's evolving needs and practices
- B. Amendments to the Handbook may be initiated by any of the following:
 - a. The Town Administrator, The Select Board, Department Heads, Employees (through their supervisors or the Town Administrator, Legal Counsel, or Personnel Board
- C. Review and Drafting:
 - a. Town Administrator Review: All proposed amendments shall be submitted to the Town Administrator for initial review. The Town Administrator will review the proposed amendments for consistency with applicable federal and state laws, Town bylaws, and overall policy objectives.
 - b. Legal Review: The Town Administrator may consult with legal counsel to ensure that the proposed amendments are legally sound and do not create any conflicts or unintended consequences.
 - c. Drafting: The Town Administrator or a designated party will prepare a written draft of the proposed amendments, incorporating any necessary revisions or modifications.
 - d. Except for minor, non-substantive changes, the Town Administrator will distribute copies of the proposed amendments (electronically or otherwise)

to all employees whose employment is governed by the Handbook and the Personnel Board

- e. Employees and other stakeholders will be given a reasonable opportunity to review and provide comments on the proposed amendments. This may be done through: a designated comment period, meetings with employee representatives, and surveys or feedback forms.
- D. Approval and Adoption
- a. Personnel Board Approval: Policy changes must first be approved by the Personnel Board.
 - b. Select Board Approval: All amendments to the Handbook must be approved by the Select Board. The Select Board may accept, reject, or amend the proposal of the Town Administrator.
 - c. Effective Date: The Select Board shall specify the effective date of any approved amendments.
- E. Communication and Training
- a. Communication to Employees: The Town Administrator will ensure that all employees are notified of any approved amendments to the Policy. Notification may be provided through: email or other electronic communication, posting on the Town website, distribution of revised Policy documents, and meetings/training sessions.
 - b. Training: If the amendments are significant, the Town may provide training to employees and supervisors to ensure understanding and compliance.
- F. Policy Maintenance
- a. Policy Consolidation: The Town Administrator or designee will incorporate all approved amendments into the official version of the Handbook.
 - b. Availability of Handbook: The most current version of the Handbook shall be readily accessible to all employees, either in print or electronic format.
 - c. Regular Review: The Policy shall be reviewed periodically (e.g., annually or bi-annually) by the Town Administrator to identify any necessary updates or revisions.
- G. Ministerial Changes
- a. The Town Administrator is authorized to make modifications or amendments to correct any inconsistencies, scrivener's errors, ministerial changes, or minor modifications that are not substantive in nature, without requiring Select Board approval.
- H. Any personnel question not specifically covered by the provisions of this Handbook shall be addressed in accordance with the discretion of the Town Administrator.

XIII. Appendices

Appendix A. Social Media Policy

Appendix B. Artificial Intelligence Policy

Appendix C. Offensive Computer Materials Network Incident Report

Appendix D. Employee Acknowledgement Form

Appendix E. Employee Self-Assessment Form

Appendix F. Employee Performance Evaluation Form

Social Media Policy

I. PURPOSE AND SCOPE

The Town of Shutesbury (“Town”) recognizes the importance of online social media networks as a communication tool. The use of social media presents certain risks and carries with it certain responsibilities. Social media, while still a relatively new form of activity, does not change the law or expectations around public service. The Town recognizes that employees and officials have the right to participate as citizens in public forums and discussions (including social media platforms) on matters of public concern. However, that right is balanced against the legitimate interests of the Town in promoting accountability, responsible and mature judgment, and the efficiency of the public services it performs through its employees and officials. The goal is to ensure that use of social media advances, rather than impedes, the operation of Town government.

To that end, this policy establishes guidelines for employees’ personal use of social media (Section II), as well as for the official use of social media by Town employees and officials for the Town’s government-related purposes (Section III).

The Policy applies to all employees, officers, and officials (elected and appointed) of the Town of Shutesbury.

This Policy is to be read in conjunction with all other applicable policies and rules of the Town, including but not limited to the Town’s Personnel Policies and Procedures[ZN1] . It may be amended from time to time, and may be supplemented with additional administrative procedures and rules as may be issued.

Nothing in this Policy is designed to interfere with, restrain or prevent employee communications that are otherwise protected under law (i.e., First Amendment, Whistleblower, Union Activities).

A. Definitions

The following definitions apply for purposes of this Policy.

1. “Social media” includes all means of communicating or posting information or content of any sort on the Internet, including to your own or someone else’s web log or blog, journal or diary, personal web site, social networking or affinity web site, web bulletin board or a chat room, whether or not associated or affiliated with the Town, as well as any other form of electronic communication.

2. “Social media sites” and “social networking sites” refer to Internet pages or programs that facilitate user participation, networking, and collaboration through the submission of user generated content, including but not limited to, tools such as: blogs; wikis; microblogging sites, such as Twitter or Reddit; social networking sites, such as Facebook and LinkedIn; video sharing sites, such as YouTube; messaging applications such as Snapchat and Instagram; and bookmarking sites such as Pinterest.

3. A “social media identity” is a specific user identity or account that has been registered on a third-party social media site.

4. A “blog” (an abridgement of the term web log) is a website with regular entries of commentary, descriptions of events, or other material such as graphics or video.

5. A “moderator” is an authorized Town official (elected or appointed) or employee, who reviews, authorizes and allows content submitted by Town officials, employees and public commentators to be posted to a Town’s social media site or sites.

6. “Town Systems” are any electronic communication and information equipment and systems. Such Systems include, but are not limited to, computer workstations, hardware and software, electronic mail (e-mail), telephones, cellular phones, “smartphone”/PDA-style devices, tablets, pagers, facsimile machines, and the Internet.

7. “Town social media site” is any official social media site established by or for the Town or a Town department, with the authorization of the Town Administrator.

II. GUIDELINES FOR PERSONAL USE OF SOCIAL MEDIA

All employees and officials are responsible for what they post online. Through this Policy, the Town is not intending to act as “thought police” or otherwise unnecessarily intrude upon the personal associations and relationships of employees and officials. However, the impact of social media participation by employees and officials upon the ability of Town government to function efficiently and effectively cannot be ignored. Any conduct that exposes the Town to legal liability may result in disciplinary action up to and including termination.

A. Required Conduct

1. Whenever the topic is one related to the functioning or operations of Town government, including any matter pending or reasonably anticipated to be pending before any Town board, committee, commission, or Town Meeting, all personal posts on any social media site shall contain an express statement that “The postings on this site are my own and do not represent the views, positions or opinions of the Town” or similar disclaimer. Employees and officials should not, except as authorized by the Select Board or Town Administrator, represent themselves as a spokesperson for the Town.
2. Employees and officials should be mindful that social media activity that violates any of the Town’s policies may result in disciplinary action, up to and including termination. Such policies include, but are not limited to, the Town’s Website Policy, Anti-Harassment and Discrimination Policy[ZN2] as well as the Personnel Policies and Procedures.
3. Department heads and other employees or officials with policy-making authority must be mindful that there is greater risk that their comments or conduct while participating in social media may have a direct and negative impact upon the integrity of their board/committee or department and the public’s perception of Town government as a whole. Furthermore, there is a greater likelihood that the public will view their conduct/comments as representative of an official position or policy of the Town, even when personal disclaimers are made.

B. Prohibited Conduct

1. No Town Systems are to be used to make personal posts on any social media or networking sites or platforms.
2. No personal posts shall be made during work time.
3. Town e-mail addresses may not be used to register on social networks, blogs, or other online tools utilized for personal use, and may not be used when setting up or establishing social media sites for personal use.

4. Per G.L. c. 268, §35, no employee or official shall post the Town Seal on any Internet site [i.e., social media network, website, blog site] or in any other Internet and/or social media communication or posting, with intent to give to such site or posting an official character which it does not possess, or unless authorized in writing in advance by the Town Administrator.
5. Postings that include, for example, discriminatory comments/remarks, harassment, bullying, and/or threats of violence or similar inappropriate or unlawful conduct, will not be tolerated.
6. Do not post internal reports, draft policies, procedures, or other internal confidential communications or documents. Employees shall maintain the confidentiality of the Town's procedures for the development of policy and other such data exempt from the Public Records Law. The state's Conflict of Interest Law [G.L. c. 268A, §23(c)(2)] expressly prohibits an employee or official from improperly disclosing materials or data obtained in the course of official duties, that is otherwise exempt from disclosure under the Public Records Law and further prohibits the use of such information to further "personal interest." If an employee or official has a question about whether information is appropriately considered public or not, they should contact the Town Administrator.
7. Do not post information about others that is protected from public disclosure by law, such as: Criminal Offender Record Information, HIPAA-protected information and any other personal medical information, information concerning allegations of domestic violence and abuse, information protected under student privacy statutes, and the like.
8. Employees and officials operating personal social media sites are subject to the same guidelines as above for the operation and administration of sites under their control, when focusing on topics relating to the functioning or operations of Town government. In order to avoid the appearance of being an official Town social media site, the site must clearly indicate their participation and carry a disclaimer that "The operation and administration of this site are my own and do not represent the views, positions or opinions of the Town."

9. Members of multi-member boards, committees and commissions must be mindful of the requirements of the Open Meeting Law, when participating in social media, in both personal and (where authorized) official capacities. A quorum of a board/committee/ commission should avoid posting on social media sites discussing topics relating to the functioning or operations of Town government, or on topics relating to matters under that board/committee/commission's jurisdiction, as doing so may violate the Open Meeting Law. Additionally, a series of individual postings on a social media site by members of a public body cumulatively may convey the position of a quorum regarding a subject within its jurisdiction, and may constitute improper deliberation among the members of a board.

C. Permitted Conduct

1. Employees and officials may include, in their social media personal profiles, their job titles, as well as information about their personal participation in Town sponsored-events, including volunteer activities. Employees shall not include the official titles when posting personal statements as per Section II.A. (1) and Section III.A (12) of this policy.

III. USE OF SOCIAL MEDIA SITES FOR OFFICIAL PURPOSES

The Town of Shutesbury permits departments to utilize social media sites and social networking sites (collectively "social media sites") to further enhance communications with its residents and various stakeholders in support of the Town's goals and objectives. Town officials and departments have the ability to publish articles, facilitate discussions and communicate information through such media to conduct official Town business. Social media sites facilitate further discussion of Town government business, operations and services by providing members of the public the opportunity to participate in many ways using the Internet. The Town has the ability to place limitations and restrictions upon the content of its website and social media sites. This section of the policy sets forth requirements that must be adhered to with respect to utilization of social media sites for official Town of Shutesbury purposes, as well as explanatory guidance.

A. General Requirements for Establishment and Maintenance of Official Town Social Media Sites

1. All Town social media sites shall be:

i) approved by the Town Administrator with a documented letter of approval; and

ii) published using social media platforms and tools approved by the Information Technology ("IT") Department.

2. Posting for the Town on such sites shall only be performed by the Town Administrator or their designee(s), including authorized department personnel.

3. Subject to prior approval of the Town Administrator, departments have the option of allowing employees to participate in existing social media sites as part of their job duties, or allowing employees to create social media sites as part of their job duties. Department heads may allow or prohibit employee participation in any social media activities in their departments.

4. All Town social media sites shall adhere to applicable state and federal laws, regulations and policies, including, but not limited to, the Open Meeting Law, Public Records Law, Conflict of Interest Law, Copyright Law, Campaign and Political Finance laws and rules, and other applicable Town policies and regulations.

5. Because the Public Records Law applies to social media content, all posts, once made, may not be deleted or amended, except to correct typographical errors, and a record shall be kept of any such modifications.

6. Each Town social media site shall include an introductory statement which clearly specifies the purpose and topical scope of the blog and social media/network site. Where possible, social media sites should link back to the official Town of Shutesbury Internet site for forms, documents and other information. When posting on behalf of the Town, users must identify themselves including name and when relevant, role at the Town. Only speak on behalf of the Town when the commentary is based on the law governing the Town, or on the Town's explicit written standards, policies, and practices, or if you have received prior permission from the Town Administrator to address a particular topic.

7. All Town social media sites shall clearly indicate that they are maintained by the Town of Shutesbury and shall have the Town of Shutesbury contact information prominently displayed, and, if possible, the Town Seal.

8. The following forms of content shall not be allowed for posting by or on behalf of the Town:

a) Profane, obscene, or vulgar language or content;

Town of Shutesbury - Personnel Policy

- b) Comments or content that is violent, threatening, insulting, bullying or harassing;
- c) Content that promotes, fosters or perpetuates discrimination on the basis of race, color, gender, gender identity, national origin, religion, ancestry, age, sexual orientation, gender identity, disability, parental leave, pregnancy or pregnancy-related conditions, genetic information, active military status, or any other status protected by state or federal law;
- d) Sexual content or links to sexual content;
- e) Conduct or encouragement of illegal activity;
- f) Information that may tend to compromise the safety or security of the public or public systems;
- g) Content that violates a legal ownership interest of any other party, including intellectual property rights;
- h) Protected health information;
- i) Personnel information;
- j) Material that promotes or opposes any person campaigning for election to a political office or any ballot question;
- k) Material that promotes or advertises a business or commercial enterprise;
- l) Material that impersonates another individual(s) or an entity(ies); or
- m) Other information that is not public record or is otherwise privileged from public disclosure.

10. All Town social media moderators shall be trained regarding the terms of this Policy, including their responsibilities to review content submitted for posting to ensure compliance with the Policy.

11. To the extent applicable, the Town's IT security policies shall apply to all social media sites and articles.

12. Officials (elected or appointed) and employees representing the Town via social media sites must conduct themselves at all times as a representative of the Town and in accordance with all applicable rules, regulations, and policies (including the Personnel Policies and Procedures) of the Town. Town employees, officials, board members and committee members shall not use a title unless they are posting in an official capacity or on an official Town social media site, with authority to do so.

13. No Town or department social media site may endorse or otherwise cite (either with approval or disapproval) vendors, suppliers, clients, citizens, co-workers or other stakeholders. Employees may not engage in political activity during working hours. This includes, but is not limited to, engaging in political activity, including the endorsement of any candidate for elective office, via a Town social media site.

B. Employee Use of Official Town Social Media Sites

The following provides further explanation of the requirements for Town social media site, set forth in Section A, above.

1. Information Technology Resources Use Policy. All employees are responsible for understanding and complying with the Town's Information Technology Resources General Use Policy.
2. First-Amendment Protected Speech. Although the Town can moderate the social media sites that accept comments from the public (such as blogs and wikis) to restrict speech that is violent, threatening, discriminatory, or harassing, the Town cannot use the moderation function to restrict speech with which the Town merely disagrees (i.e., subject matter restrictions). Users have First Amendment rights in posting content to public social media sites hosted by municipalities. Moderators must respect those rights by posting all comments other than those removed for specific legitimate reasons, as referenced above.
3. Copyright Law. Employees and officials must abide by laws governing copyright and fair use of copyrighted material owned by others, including written material, photography, videography and digital media. Never reprint whole articles or publications without first receiving written permission from the publication owner. Never quote more than a short excerpt of someone else's work without acknowledging the source and, if possible, provide a link to the original.
4. Conflict of Interest. Employees are prohibited from using social media to engage in any activity that constitutes a conflict of interest in violation of the provisions of G.L. c. 268A.

5. Protected Confidential Information. Employees are prohibited from posting legally protected personal information that has been obtained during the course of performing official duties (e.g., information that is not subject to disclosure under the Public Records Law, G.L. c.66, §10 and G.L. c. 4, §7(26), or whose dissemination is restricted under applicable Federal or State laws or regulations). Conversations that occur amongst Town officials/employees outside public forums should not be published or reported on, unless authorized by the Town Administrator. Information about policies, rules, or plans that have not been finalized or officially adopted by the Town should not be posted unless explicitly approved in advance by the Town Administrator or relevant Department Head, for instance, where public comment or input is being solicited.

6. Carefully Consider Content. Town social media sites are not an appropriate forum for commentary about rumors, political disputes, and such comments are not permitted. As informal as social media sites are meant to be, if they are on a government domain or a government identity, they still constitute official government communications. Consideration needs to be exercised to use social media in a way that benefits both the Town and the public.

7. Handling Negative Comments. Authorized Town Employees and Officials shall only post factual information as it relates to a Town related matter, as authorized. Because the purpose of many social media sites, particularly Town and/or department blogs and wikis, is to get feedback from the public, it is anticipated that some of the feedback received will be negative. Some effective ways to respond to negative comments may include the following:

- a. Provide accurate information in the spirit of being helpful;
- b. Remain respectful; and
- c. Notify the moderator to address the matter prior to any escalation.

8. Respect the Audience and Town Employees and Officials. Derogatory language, personal insults, obscenity, or any conduct that would not be acceptable in the workplace, are similarly prohibited on the Town's social media sites. This includes not only the obvious (no personal insults, obscenity, threats of violence, etc.) but also proper consideration of privacy and of topics that may be considered objectionable or inflammatory—such as politics and religion. The Town's social media presence shall not be used to communicate among Town employees for work purposes.

9. Use Social Media Sites or Identities Only to Contribute to the Town or Department's Mission. All postings should provide useful information and perspective that contributes to the Town's and/or department's mission of serving the Town. What is published on Town social media sites reflects on the Town and Town government. Social media sites and identities should be used in a way that contributes to the Town's mission by:

- a. Helping Town employees and officials perform their jobs better;
- b. Informing citizens about Town government services and how to access them;
- c. Making Town operations transparent and accessible to the public;
- d. Creating a forum for the receipt of candid comments from residents about how Town government can be improved; and
- e. Encouraging civic engagement on Town matters.

10. Defamation. Under Massachusetts law, defamation is established by showing that an individual published a false statement about another party that either caused the individual economic loss or was of the type that is actionable without proof of economic loss. Some statements, like imputation of a crime, are defamatory per se. Employees must avoid statements that may be interpreted as defamatory.

11. Records Retention. Social media sites will contain communications sent to or received by Town officials and employees, and therefore constitute Public Records. Officials must ensure that the Town retains a copy of the social media content in accordance with applicable Public Records Retention Schedules. Officials must review the third-party social media service provider's terms of service for its record retention practices. Please note that while third party social media providers will most likely save content for some period of time, they generally will not save it indefinitely. To the extent their policies are inconsistent with Public Records Retention Schedules, the Town or department must retain copies of social media posts such as by printing or otherwise storing periodic "snapshots" of the social media sites.

IV. MEDIA CONTACTS

Oftentimes, presence on social media can lead to inquiries from the press or media. Employees may not speak to the media on the Town's behalf, unless specifically authorized by the Town Administrator. All media inquiries shall be directed to the Town Administrator's Office.

V. RETALIATION PROHIBITED

The Town expressly prohibits the taking of any action against any employee for reporting a possible deviation from, or violation of, this Policy, or for cooperating in an investigation of the same.

VI. ADDITIONAL INFORMATION

If you have questions or need further guidance regarding the Town's Social Media Policy, please contact the Town Administrator's Office.

VII. EFFECTIVE DATE

This policy shall take effect immediately upon its passage. The policy may be amended from time to time by vote of the Select Board.

Policy Number: _____

Approved: _____

Amended: _____

Employee Declaration and Certification

Town of Shutesbury - Personnel Policy

This acknowledges that I have received and reviewed the Town's Social Media Policy ("Policy"). By signing this form, I agree to abide by the Policy and any Guidelines promulgated thereunder, and I agree to review periodically any changes or modifications. I recognize that the law and associated Policy regarding use of Social Media are continually evolving. Therefore, I understand that my regular review of this Policy, as it may be amended, is required.

Print Name: _____

Signature: _____

Date: _____

To be included in employee's personnel file.

Position Classification

Offensive Computer Materials Network Incident Report

Incident Date and Time: _____

Reporting Date and Time: _____

Reporting Individual: _____

[Name/Title/Department]

I. Incident Details:

A. Nature of Offensive Material *(Be specific and factual, avoid subjective language where possible. Examples include: Child Sexual Abuse Material (CSAM), Hate Speech, Incitement to Violence, Discriminatory Content based on protected characteristics, etc.):*

B. Description *(Provide a concise description of the offensive material. E.g., "Files appearing to depict child sexual abuse," "Text-based content containing racial slurs and threats," "Images promoting violence against a specific religious group."):*

C. Location of Discovery:

a. Computer/Device Hostname/IP Address *(if known):*

b. Network Location *(e.g., shared drive, specific folder, email attachment, website URL):*

c. User Account Associated with the Location *(if known):*

D. Method of Discovery *(Provide details on how the material was discovered):*

E. Estimated Quantity/Extent of Material *(e.g., number of files, size of files, length of text, number of instances observed):*

F. Duration of Presence *(if known or estimated):*

G. Potential Impact (Consider potential legal, reputational, operational, and emotional impacts):

II. Initial Actions Taken:

A. Containment (*What immediate steps were taken to limit the spread or access to the material? Note: Only delete if specifically instructed by IT or legal counsel, otherwise preserve it as evidence.*):

B. Preservation of Evidence (*What steps were taken to preserve the potentially offensive material and related logs? Examples: Took screenshots, documented file paths, avoided further interaction with the files.*):

C. Notification (*Who was immediately notified of the incident?*):

1. Individual(s) Notified: _____
2. Date and Time of Notification: _____

III. Involved Parties

A. Suspected Source of Material:

B. Individuals Potentially Exposed:

IV. Supporting Information

A. Screenshots/Copies: _____

B. Relevant Log Files (*if applicable and preserved*): _____

C. Witness Statements (*if any*): _____

V. Reporting Individual Contact Information

A. Phone Number: _____

B. Email Address: _____

VI. Next Steps and Recommendations:

Reporting Individual: _____ Date: _____

Received by: _____ Date: _____

Town of Shutesbury - Personnel Policy

Employee Performance Evaluation Form

Review Period: _____ Job Title: _____
Date of Evaluation: _____ Department: _____
Employee Name: _____ Supervisor's Name: _____

Section I: Goals and Objectives. *Review and comment on the goals set for the last review period.*

Section II: Self-Assessment

Goal/Objective	Status (Met/Exceeded/Not Met)	Employee Comments	Supervisor Comments
[Goal 1]			
[Goal 2]			
[Goal 3]			

Employee to complete this section.

Complete the Employee Self-Assessment Form and return to the supervisor prior to the evaluation meeting.

Section III: Performance Criteria. *Supervisor to complete this section.*

Rating Scale:

- Exceeds Expectations: Performance is consistently and substantially above the requirements for the role. Meets Expectations: Performance consistently meets all job requirements and expectations. Needs Improvement: Performance does not consistently meet job requirements; improvement is necessary. Unsatisfactory: Performance is consistently below job requirements and expectations.

Town of Shutesbury - Personnel Policy

Performance Criterion	Rating	Supervisor Comments (Provide specific examples)
Quality of Work (Accuracy, thoroughness, standards)		
Quantity of Work (Timeliness, productivity, workload management)		
Job Knowledge & Skills (Technical expertise, understanding of responsibilities)		
Attendance & Punctuality (Reliability, adherence to schedule)		
Initiative & Problem-Solving (Proactive, creative, takes ownership)		
Communication & Interpersonal Skills (Clear, respectful, active listener)		

Town of Shutesbury - Personnel Policy

Teamwork & Collaboration (Works well with others, shares knowledge)		
Adherence to Town Policies (Follows rules, professionalism)		
Customer Service (Responsive, helpful, courteous)		

Section IV: Overall Performance Rating

Overall Performance Rating: _____

Section V: Goals and Objectives for the Upcoming Year

Collaboratively developed by the employee and supervisor.

Goal/Objective	How will we measure success?	Target Completion Date
[New Goal 1]		
[New Goal 2]		
[New Goal 3]		

Town of Shutesbury - Personnel Policy

Section VI: 360° Feedback Summary

This section is for both the employee and supervisor to provide feedback to one another to create a two-way dialogue.

Employee Feedback for Supervisor: Please provide any feedback you have for your supervisor regarding their leadership, guidance, and support.

Section VII: Signatures

Employee signature indicates they have received and reviewed the evaluation, not necessarily that they agree with its contents.

Employee Signature: _____ Date:

Supervisor Signature: _____ Date:

Town of Shutesbury - Personnel Policy

Employee Self-Assessment

Employee Name: _____ Job Title: _____

Review Period: _____ Date: _____

Part 1: Accomplishments & Contributions

Please describe your most significant accomplishments & contributions during this review period. Provide specific examples. You may wish to consider the following questions.

What were you most proud of?

Describe a difficult challenge you faced and how you successfully navigated it. What was the outcome, and what did you learn from the experience?

How have you supported your colleagues or contributed to a positive team environment?"

Your Response:

Part 2: Strengths & Areas for Growth

This section is for you to reflect on your professional skills and behaviors.

What are your greatest strengths in your current role? How have you used them effectively?

In what areas do you want to improve or develop new skills?

What support or resources could help you with this growth (e.g., training, mentorship, new responsibilities)?

Your Response:

Part 3: Looking Ahead

Think about your future goals and how you can continue to contribute.

What are your professional goals for next year?

What new challenges would you like to take on?

Is there anything else you'd like to discuss with your manager during your performance review?

Your Response:

Employee Acknowledgement Form

The Personnel Handbook describes important information about the Town of Shutesbury and employees should consult with Town management regarding any questions not answered in the Policy.

1. The Personnel Handbook and the policies contained in it does not and is not intended to create a contract of employment between the Town and any of its employees, nor is it to be construed to constitute contractual obligations of any kind. Rather, the Personnel Policy is provided for employee guidance only. The provisions of the Handbook have been developed at the discretion of Town management and, except for its policy of employment-at-will, may be amended, modified, revoked, rescinded or added to at any time, in the Town's sole discretion. This Handbook does not and is not intended to create any enforceable rights or promises of any kind with respect to the terms and conditions of employment.
2. This Policy supersedes all prior agreements, understandings, representations, handbooks, and policies concerning my employment with the Town of Shutesbury. I acknowledge that the Town of Shutesbury may make revisions to the information, policies, and benefits described in this Handbook from time to time. All such changes will be communicated through official notices, and I understand that revised information may supersede, modify, or eliminate existing policies.
3. I understand that I have entered into my employment relationship with the Town of Shutesbury voluntarily and acknowledge that there is no specified length of employment. Accordingly, either the Town or I can terminate the relationship at will, with or without reason, at any time, as long as there is no violation of applicable federal or state law. I acknowledge that no oral or written statements or representations regarding my employment can alter the foregoing.
4. I acknowledge that this Handbook and the policies contained in it are neither a contract of employment nor a legal document.

Town of Shutesbury - Personnel Policy

I specifically acknowledge that I have reviewed the Harassment Prevention Policy in the Town's Personnel Handbook. I understand that, in the event that I believe I have been subjected to discrimination or harassment, including sexual harassment, that I am expected to immediately notify my supervisor or the Town Administrator.

5. I specifically acknowledge that I have reviewed the provisions relating to Workplace Monitoring and Inspections and understand that any property, personal or Town-owned, such as tool boxes or desks, may be subject to inspection at any time.
6. I also am aware that the Town may monitor my use of the electronic computer systems, including email and voicemail, and that I may not use a password or passcode for my computer, e-mail or voicemail that is unknown to the Town. I also understand that monitoring may include printing or reading e-mail messages sent, received, or stored in these systems, as well as listening to voicemail messages.
7. I understand that my signature below indicates that I have received a copy of the Town of Shutesbury Personnel Handbook, and I understand that it is my responsibility to read and comply with its provisions and any revisions made to it. I have read and understand the above statements.

Employee Name (printed): _____

Employee Signature: _____

Employee Position: _____

Date: _____