



Town of Shutesbury, Massachusetts

Policy on Employee Membership and Committee Voting

Effective Date: July 14, 2026

Policy Number: 260721

I. Purpose & Scope

In a small community, municipal employees frequently possess invaluable expertise or are engaged residents who wish to volunteer. The purpose of this policy is to establish clear boundaries for employee participation on town committees, protecting public trust, maintaining a separation of administrative and policy-making duties, and ensuring compliance with the Massachusetts Conflict of Interest Law (M.G.L. c. 268A). This policy applies to all paid full-time and part-time employees of the Town of Shutesbury.

II. Functional Committee Classifications

To determine the role and voting status of a town employee, all municipal boards, committees, commissions, and task forces (hereafter "committees") shall be categorized into one of three functional types:

Category	Definition	Voting Status of Town Staff
1. Operational & Emergency Teams	Committees charged with tactical, administrative, emergency management, or day-to-day operations of the town.	Voting Members <i>(Staff expertise and direct decision-making are necessary for immediate operations.)</i>
2. Advisory & Regulatory Boards	Committees that write regulations, make land-use determinations, or recommend policy/budgetary goals to the Select Board or Town Meeting.	Non-Voting (Ex-Officio) <i>(Staff serve as technical advisors to avoid voting on matters they will later execute.)</i>

Category	Definition	Voting Status of Town Staff
3. Independent Volunteer Committees	Committees unrelated to the employee's professional duties or department (e.g., staff serving strictly in their capacity as a private resident).	Voting Members Permitted <i>(Subject to conflict of interest disclosures.)</i>

III. Rules for Independent Service

When an employee serves as a voting member on an Independent Volunteer Committee (Category 3), they must adhere to the following protections to maintain public trust:

- 1. Special Municipal Employee Designation:** Pursuant to M.G.L. c. 268A, the Select Board designates all volunteer, non-employee seats on Shutesbury committees as Special Municipal Employee (SME) positions. This status legally permits town staff to hold volunteer committee seats.
- 2. Conflict Disclosure Requirement:** Prior to taking a seat on any committee, the employee must file an Appearance of Conflict Disclosure (M.G.L. c. 268A § 23(b)(3)) with the Town Clerk. This document publicly declares their dual roles and protects the town and the individual from ethics complaints.
- 3. Budgetary and Personnel Recusal:** If the independent committee discusses, votes on, or advocates for a matter that directly affects the employee's staff department, salary, or supervisor, that employee must declare a conflict, physically leave the room, and recuse themselves from the vote.
- 4. No Representational Action:** The employee shall not represent, present to, or negotiate on behalf of their volunteer committee before their own employing department (e.g., an employee of the highway department serving on a recreation committee cannot present the committee's permit request to the highway superintendent).
- 5. Separation of Resources:** No committee activities, meetings, draft-writing, or emails shall be conducted during the employee's paid working hours or using town-owned equipment.

IV. Administration and Interpretation

The Select Board, in consultation with the Town Administrator, reserves the authority to classify any newly formed or disputed committee into one of the three categories defined in Section II.