

## **Revised Consolidated Personnel By-Law 2017**

### **Section 1. Purpose and Authorization.**

The purpose of the personnel bylaw is to establish fair and equitable personnel policies and to promote a system of personnel administration that ensures a uniform, fair and efficient application of personnel policies. This bylaw is adopted pursuant to the authority granted by Article LXXXIX of the Constitution of the Commonwealth and General Laws, Chapter 41, Sections 108A and 108C. This bylaw supersedes any and all bylaws previously adopted by the Town pursuant to General Laws, Chapter 40, Section 21B and/or Chapter 41, Sections 108A and 108C. Classification and compensation plans in effect at the time of adoption of this bylaw shall continue in full force and effect until amended or superseded pursuant to Section 6 of this bylaw.

### **Section 2. Application.**

All Town departments and positions shall be subject to the provisions of this bylaw except elected officers, employees with personal contracts, and employees of the school department. To the extent that any Town employee is subject to a collective bargaining agreement, in the event of a conflict and/or an inconsistency between said agreement and this Bylaw, then said agreement shall govern the terms and conditions of that employee's work.

### **Section 3. Town Manager.**

Pursuant to Chapter 5, Section 4 of the Acts of 2004, the Town Manager is responsible for administering personnel policies, compensation and classification plans, and related matters, in consultation with the personnel board, for all municipal employees and administering all collective bargaining agreements entered into by the Town. Further, the Town Manager is authorized to appoint, discipline, suspend or remove town officers, department heads or principal deputies or agents of elected and appointed boards or officers, and other employees, including employees in civil service positions, for whom no other method of selection is provided by the general or special laws, consistent with the Town's personnel policies and subject to the Town Manager Act and the terms of any applicable collective bargaining agreements.

### **Section 4. Personnel Board.**

(a) Composition, Mode of Selection, Term of Office, Qualifications. The Board shall consist of five (5) members, four (4) of whom are appointed by the Board of Selectmen for two (2) year terms provided, however, that the initial four (4) appointments by the Board of Selectmen following the adoption of this paragraph shall be as follows: two (2) members shall be appointed for one (1) year terms and two (2) members shall be appointed for two (2) year terms; thereafter, all members appointed by the Board of Selectmen shall be appointed for two (2) year terms. Members may be reappointed for an indefinite number of terms.

One (1) member shall be a member of the Advisory Committee and shall represent that Committee and be a fifth member.

All members shall be registered voters and residents of the Town during their appointment.

Any vacancy occurring during a member's term of office shall be filled for the remainder of the original appointment.

Any member appointed shall not be a compensated employee of the Town in any status during their appointment.

The Board of Selectmen may appoint an Alternate Member to the Board. The Alternate Member may serve in the absence of a regular member.

(b) Organization. The Board shall elect its own officers, who shall consist of a Chairperson and a Clerk.

Meetings shall be held at least quarterly, but may be called by the Chairperson at any time as the need arises. Meetings shall also be held upon the request of an employee, or their representative, in writing.

Three (3) members shall constitute a quorum for the transaction of business of the Committee.

(c) Powers and Duties. The Board shall be responsible for formulating recommendations on and reviewing the classification and compensation plans, which plans shall be subject to such approval as required by law. The Personnel Board shall also evaluate classification of positions generally, including requests for reclassification, and cause a review of all positions in the classification plan at appropriate intervals in accordance with proper personnel practices. The Personnel Board shall also, in consultation with the Town Manager, advise and assist, to the extent requested, on any aspect of personnel policies and practices.

**Section 5. Personnel System.** A personnel system shall be established by promulgation of policies pursuant to section 6. The personnel system shall make use of current concepts of personnel management and may include, but not be limited to, the following elements:

(a) Method of Administration. A system of administration which assigns specific responsibility for all elements of the personnel system, including: maintaining personnel records, implementing effective

recruitment and selection processes, maintaining the classification and compensation plans, monitoring the application of personnel policies and periodic reviews, and evaluating the personnel system.

(b) Classification Plan. A position classification plan for all employees subject to this bylaw shall be established, based on similarity of duties performed and the responsibilities assumed so that the same qualifications may be reasonably required for, and the same schedule of pay may be equitably applied to, all positions in the same class. Nothing in the classification plan shall infringe upon or supersede an appointing authority's ability to hire an employee into a newly created position, provided that the Town Manager and Personnel Board are first consulted regarding an appropriate starting salary and the Town Manager and Board of Selectmen approve the same. As part of its regular review, the Personnel Board shall seek to update the Classification and Compensation Plans to include any new positions that were added during the prior year.

(c) A Compensation Plan. A compensation plan for all positions subject to this bylaw shall consist of:

(1) A schedule of pay grades including minimum, maximum and intermediate rates for each grade; and

(2) An official list indicating the assignment of each position to specific pay grades.

(d) A Recruitment and Selection Policy. A recruitment, employment, promotion and transfer policy which ensures that reasonable effort is made to attract qualified persons and that selection criteria are job related.

(e) Personnel Records. A centralized recordkeeping system which maintains essential personnel records.

(f) Personnel Policies. A series of personnel policies which establishes the rights, the benefits to which certain personnel employed by the Town are entitled, and the obligations of said employees to the Town.

(g) Other Elements. Other elements of a personnel system as deemed appropriate or required by law.

**Section 6. Adoption and Amendment of Personnel Policies.** The Board of Selectmen shall promulgate personnel policies defining the rights, benefits and obligations of certain employees subject to this bylaw. Policies shall be adopted or amended as follows:

(a) Preparation of Policies. Any member of the Board of Selectmen, Personnel Board, the Town Manager, or any three employees may suggest policies for consideration. The Town Manager shall refer such policies to the Personnel Board, which Board need not consider any proposal already considered in the preceding twelve months. Any member of the Board of Selectmen, Personnel Board, the Town Manager, or any three employees proposing a new or amended policy shall provide the substance and the reason for the proposed policy in writing. The Personnel Board shall hold a public meeting on any proposed policies or amendments. The Town Manager and the Personnel Board shall, within 20 (twenty) business days, consider the proposed policies and recommend that the Board of Selectmen adopt the policies (with or without modifications), reject the policies, or indicate that further study is necessary.

(b) Recommended Policies. The recommendations of the Town Manager and Personnel Board shall be forwarded in writing to the Board of Selectmen by the Town Manager or by the Personnel Board. The

recommendations shall contain the text of the proposed policy or amended policy, an explanation of the policy and the implications of the policy, and the action(s) thereon recommended by the Town Manager and the Personnel Board. The Board of Selectmen shall consider recommendations of the Town Manager and Personnel Board and may adopt, reject or return recommendations for further action. The Board of Selectmen need only act on proposed policies recommended for adoption. Policies shall become effective upon approval of the Board of Selectmen, unless some other date is specified. Adopted policies, including the Compensation Plan, shall be kept on file in the office of the Town Clerk.

**Section 7. Severability.** The provisions of this bylaw and any policies adopted pursuant to this bylaw are severable. If any bylaw provision or policy is held invalid, the remaining provisions of the bylaw or regulations shall not be affected thereby.

Accepted at Annual Town Meeting, May 9, 2016