

# TOWN OF HALIFAX, MA

## WAGE AND PERSONNEL EMPLOYEE HANDBOOK



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## Contact Information

Below is a list of contacts, should you have any questions about the commencement of your employment with the Town of Halifax.

- Payroll – Linda Cole, Assistant Treasurer 781-293-1731
- Health Insurance Benefit Information – Linda Cole, Assistant Treasurer
- Human Resource issues – Charlie Seelig, Town Administrator 781-294-1316
- AFLAC: Teri Whelan 508-375-0600
- VOYA: Barry Perkins 781-830-1040
- Mayflower Municipal Health Group [www.mmhg.org](http://www.mmhg.org)
- Worker’s Compensation: Massachusetts Interlocal Insurance Association 617-727-4900 or <http://www.state.ma.us/dia>.
- Plymouth County Retirement (if applicable) 508-830-1803 or [www.pcr-ma.org](http://www.pcr-ma.org)
- MIIA Employee Assistance Program (EAP) 800-451-1834 (Additional information supplied in this handbook)

## Introduction and Purpose

This Employee Handbook is intended to provide employees with an easy reference tool explaining their benefits and procedures to be utilized as a Town of Halifax employee. The Handbook is not a substitute for the Town’s Wage and Personnel By-law, but rather as an easy reference for employees to check on applicable benefits and procedures.

It should be understood that the By-law is always the controlling document and in case of a conflict between what appears in this Handbook and the provisions of the By-law, it is the By-law which has precedence and control.

Further, employees should know that this Handbook in no way restricts or limits the Wage and Personnel Board in its authority to alter, modify or otherwise amend the By-law with the approval of the Halifax Town meeting, in which case it may be necessary to update this Handbook periodically.

## **Benefits**

The Town of Halifax offers qualified employees various benefits programs including health insurance, dental insurance, and life insurance. Employees pay 50% of the cost of these programs with the Town paying the other 50%. Programs and costs vary from year to year. Employees interested in participating should contact the Treasurer's office at 781-293-1731 for more information. Employees will have to provide documentation such as marriage licenses and birth certificates to enroll dependents (spouses, children) in these programs.

There is an open enrollment period each year from May to June (exact dates change from year to year and all employees are notified). New employees may enroll in these programs within 30 days of the start of employment. Current employees may be eligible to enroll in these programs during the rest of the year if certain "qualifying" events occur. Employees should contact the Treasurer's office for more information.

In addition to these shared-cost programs, the Town offers voluntary programs which are entirely paid by the employee. These include deferred compensation, short-term disability, long-term disability and additional life insurance. Employees should contact the Treasurer's office for more information about the current list of programs, rates, eligibility, and enrollment periods.

## **Probationary Period** Wage and Personnel By-law Section: 35-16

All newly appointed employees shall be required to successfully complete a probationary period to begin immediately upon the employee's starting date and to continue for a six (6) month period. The probationary period shall be utilized to help new employees achieve effective performance standards. The probationary period shall be used by the appointing authority to observe and evaluate the employee's conduct, performance, and work habits. Nothing herein shall be construed to prevent the termination of an employee prior to the conclusion of the probationary period. The Department Head will conduct a probationary period evaluation at the conclusion of the employee's six month anniversary.

While an employee may be terminate for any reason during the probationary period with a hearing, once the six (6) month probations period is completed, the employee's appointing authority must provide a written notice of reasons for termination and hold a termination hearing before any termination can be made effective.

## **Holidays** Wage and Personnel By-law Section: 35-26

A. Designated holidays (not to be accumulated) shall be:

- (1) New Year's Day.
- (2) Martin Luther King Day.
- (3) President's Day.

- (4) Patriots Day.
  - (5) Memorial Day.
  - (6) Independence Day.
  - (7) Labor Day.
  - (8) Columbus Day
  - (9) Veterans Day
  - (10) Thanksgiving Day
  - (11) One-half day before Christmas
  - (12) Christmas Day
  - (13) One-half day before New Year's Day.
- B. All holidays shall be observed on the Commonwealth's legal holiday unless an alternative day is designated by the Town. A full holiday is defined as eight (8) hours.
  - C. Employees whose regular day off falls on any of the aforementioned holidays shall be paid for the holiday.
  - D. Employees required to work on a holiday will be paid for the hours worked plus a day's (eight hours) pay for the holiday.
  - E. When a holiday occurs during an employee's regular scheduled vacation, he shall be granted an additional day's (eight hours) vacation.
  - F. Permanent part-time employees shall be granted holiday pay for all holidays in proportion to the hours worked.
  - G. Allow employees (with the permission of supervisor) to combine the two half-day Holidays in Subsection A(11) (Christmas Eve) and (13) (New Year's Eve) into one full holiday and work their regular schedule on the other day as long as the department remains open on both days.

**Vacation leave** Wage and Personnel By-law Section: 35-27

- A. For full time employees, vacation time will be accrued based on their date of hire. Vacation accrual shall not begin until the 1<sup>st</sup> day of the month following the start of employment unless the start of employment is on the 1<sup>st</sup> day of the month.
  - (1) For less than one full year of service, an employee must work two full calendar months to be eligible to use his/her accrual.
  - (2) Regular part time employees will receive vacation accrual monthly based on a prorated number of hours worked for the month.

- (3) An employee, upon appointment to full-time status, shall have his/her vacation accrual adjusted on the next first of month according to his/her length of service.
- (4) Upon death of an employee eligible for vacation, payment shall be made to the estate or heirs of the deceased for any unused vacation time.
- (5) An employee may carry forward vacation time accrued during the previous fiscal year and up to an additional one week's earned vacation time (40 hours for full time employees, part time employees hours pro-rated by the number of hours worked per week).

Vacation Accrual for Regular Full time employees will be as follows:

<b>Years of Service</b>	<b>Monthly Vacation Earned</b>	<b>Annual Accrual</b>
Start Date to end of 4 <sup>th</sup> year	6.67 hrs	2 weeks/80 hours
Start of 5 <sup>th</sup> year to end of 9 <sup>th</sup> year	10.00 hrs	3 weeks/120 hours
Start of 10 <sup>th</sup> year to end of 14 <sup>th</sup> year	13.34 hrs	4 weeks/160 hours
Start of 15 <sup>th</sup> year	14.00 hrs	4 weeks + 8 hours
Start of 16 <sup>th</sup> year	14.67 hrs	4 weeks + 16 hours
Start of 17 <sup>th</sup> year	15.33 hrs	4 weeks + 24 hours
Start of 18 <sup>th</sup> year	16.00 hrs	4 weeks + 32 hours
Start of 19 <sup>th</sup> + years	16.66 hrs	5 weeks/200 hours

**Sick and personal leave** Wage and Personnel By-law Section: 35-28

- A. Each full-time employee shall be credited with sick leave at the rate of one and one-quarter days (10 hours) for each month of service, such sick leave credit to begin on the first workday of the month in which the employee is employed. Sick leave may be accumulated to a maximum of one hundred fifty days (1,200 hours).
- B. Regular part-time employees shall be credited with sick leave in the ratio that their part-time employment bears to full-time employment.
- C. Notice of absence due to illness shall be provided by the employee to the department head/supervisor on the first day of such absence and on each continuing day.
- D. After being out of work for five consecutive workdays, the employee may be required to have a physical before returning to work. The employee may be examined by his/her own doctor or the Town's doctor. However, in the case of bodily injury, an employee must have been examined and deemed fit to work by the Town's doctor before returning to work.

- E. A full-time employee will be allowed two personal days' (16 hours) leave per year not to be deducted from accumulated sick leave.
- F. Permanent part-time employees shall be allowed personal days in proportion to hours worked, and such personal days shall not be deducted from sick time.
- G. Should abuse of sick leave be suspected, the department head, the Town Administrator and/or the Wage and Personnel Board may require satisfactory medical evidence of illness or disability.
- H. An employee who wishes to make up the difference between the workers' compensation wage benefit and his/her regular Town salary may use an equivalent amount of sick leave to reach full compensation.
- I. Employees who are out on Workers Compensation shall continue to accrue vacation and sick time on a prorated basis, based on hours worked in the previous month.
- J. Employees are not allowed to take more sick, vacation or personal leave hours on a given day than the normal number of hours they work on that day.

### **Attendance and Absences**

The Town of Halifax expects all employees to assume diligent responsibility for their attendance and promptness. Recognizing, however, that illnesses and injuries may occur, the Town has established sick leave to compensate regular full-time and regular part-time employees for certain time lost for legitimate medical reasons.

Should you be unable to work because of illness, you must notify your supervisor within thirty (30) minutes of start time each day of your absence. Failure to properly notify the Town of your absence may result in unpaid sick time.

It is the policy of the Town of Halifax that all employees assume their assigned duties at the start of the regularly scheduled work day. Tardiness and failure to report to work are viewed as unacceptable job performance and may be grounds for progressive disciplinary action.

An employee who anticipates that he or she will arrive after the start of the work day or shift must notify the work location and speak directly to his/her supervisor or the supervisor in charge to inform him/her of the delay and expected time of arrival. The employee should call the work location prior to his/her time of arrival, if possible. Employees will be required to provide a reasonable explanation of their tardiness and may be required to provide documentation, if appropriate.

If an employee exhibits a pattern of repeated tardiness, he/she may receive a verbal reprimand. Subsequent tardiness may result in a written reprimand or further disciplinary action. If an employee is tardy for more than two (2) consecutive hours without cause, he/she may receive a written reprimand without having received a prior verbal reprimand. Subsequent tardiness may result in further disciplinary action.

If an employee does not report for his/her scheduled work hour/shift, and fails to notify the work location of the absence by the end of the regularly scheduled shift, the employee shall be considered on unauthorized leave without pay for the day and may be subject to disciplinary action, unless the absence resulted from an emergency. The employee may be required to provide documentation of the emergency. Further incidents of this nature may result in subsequent disciplinary action up to and include termination of employment. Failure by an employee to report to work without permission and without notice for seven (7) or more consecutive days may result in the employee being considered to have voluntarily and permanently separated him/herself from Town service.

**Family and medical leave (FMLA)** Wage and Personnel By-law Section: 35-29

- A. Employees who have worked for the Town for at least one (1) year and have worked at least 1,250 hours (approximately half-time) during the previous twelve-month period are eligible for up to twelve (12) weeks of unpaid leave during a twelve-month period.
- B. Leave will be granted in accordance with provisions of the Family and Medical Leave Act of 1993 and the procedure established by the Wage and Personnel Board, with each twelve-month period defined on a rotating basis from the first day leave is taken.

**Bereavement** Wage and Personnel By-law Section: 35-30

In the event of death in the immediate family, i.e., spouse, child, stepchild, parent, parent of either spouse, grandchild, brother or sister, the employee will be granted a leave for a period not exceeding three (3) consecutive calendar days, without loss of pay. The employee shall be entitled to one (1) day leave with pay in the event of death of his/her brother-in-law, sister-in-law, son-in-law, daughter-in-law, stepmother, stepfather, legal guardian, grandparent, aunt, uncle, nieces and nephews. Funeral leave shall not be charged to sick leave or vacation leave and shall not be accumulative; the employee shall be paid for her/his regularly scheduled hours for that day. If the bereavement leave is taken on a day not scheduled as a workday for that employee, no benefit shall be granted. This benefit pertains to full-time employees and to part-time employees working twenty (20) hours or more (on a prorated basis).

**Jury duty** Wage and Personnel By-law Section: 35-31

An employee called for jury duty shall receive from the Town an amount equal to the difference between his normal compensation and the amount (excluding any travel allowance) received from the court, upon presentation of certification to the amount paid by the court. Evidence of Jury Duty should be provided to the Town Accountant.



**Part-Time Civilian Dispatchers** Wage and Personnel By-law Section: 35-31.1

Part Time Civilian Dispatchers who work at least 350 hours a quarter will accrue 12 hours leave to be used as sick, personal, or vacation time with a maximum accrual of 240 hours at any one time (Quarters are defined as 7/1-9/30; 10/1-12/31; 1/1-3/31/ and 4/1-6/30 of each fiscal year

Part Time Civilian Dispatchers will be paid time and a half for hours worked on holidays, with time and a half starting at 12:00 noon on Christmas Eve and New Years Eve. For the holidays of Thanksgiving, Christmas and New Year's Day, double time will be paid for hours worked.

**Physical Examinations** Wage and Personnel By-law Section: 35-32

Every applicant for permanent appointive employment by the Town shall be certified by a practicing physician, designated by the Town, as to his or her physical fitness to perform the duties of the position to which such applicant seeks appointment and as to any physical condition of the applicant which might adversely affect the insurance coverage of the Town under Chapter 152 of the General Laws of the group insurance coverage of other Town employees. If the Personnel Board deems such action necessary to the protection of the Town, it may require any applicant for temporary appointive employment by the Town who is to be employed for 30 days or more, or any temporary appointive employee who has been employed by the Town for 30 days and has not been so certified, to be certified by a physician designated by the Town as to his or her physical fitness to do the work required by the Town and as to the presence of any condition detrimental to the insurance coverage hereinbefore described. The certification required hereunder shall be in such form as said Board shall determine. The cost of any physical examination required by this section shall be paid by the Town and shall be charged to the appropriation of the department in which the position is for which such application was made or temporary employment authorized or shall be charged to such special appropriation as the Town may make for the purpose of this section.

**Training** Wage and Personnel By-law Section: 35-33

All Department Heads are encouraged to provide paid time and, if necessary, costs including fees and transportation, for all employees in their departments to attend at least three (3) hours of training each fiscal year and employees are encouraged to request and attend said training. Said training may be held on-site, on-line, or off-site and may include topics of specific interest to the department and/or topics of interest across some or all departments. Said training shall not incur overtime expenses.

**Increases** Wage and Personnel By-law Section:35-17

- A. Each employee in a position for which step rates are provided will be considered for an increase in compensation to a higher rate for that position after completion of the required period of continuous service and an annual performance evaluation of M (meets expectation), E (exceeds expectation), or CE (consistently exceeds expectation).

Yearly performance evaluations shall be completed every year for each step increase 30 days prior to the employee's anniversary date. A cover sheet signed by both the employee and department head stating that the evaluation has been completed shall be attached to the change of status form. A copy of the employee's yearly evaluation is to be kept in the employee's personnel file.

- B. Performance evaluations for all employees must be conducted annually in writing and a Certificate of Completion must be provided to the Wage and Personnel Board. All original performance evaluations are to be forwarded to the Treasurer's Office to be kept in the employee's Personnel file.
- C. Any employee who has been at the maximum step on his/her schedule for five (5) years may, upon recommendation of his department head, be considered for a merit increase to be acted upon at the Annual Town Meeting, said merit increase to be no more than five percent (5%) of the employee's base salary. Performance Evaluation forms must be completed annually. The employee must have received an overall rating of CE (Consistently Exceeds), for 5 consecutive years and while on their top step.

**Overtime and compensatory time** Wage and Personnel By-law Section: 35-19

An employee will be paid overtime compensation at a rate of one and one-half (1½) times his/her regular hourly rate for all hours beyond forty (40) actually worked in any one week.

Employees designated as exempt from the Fair Labor Standards Act (i.e. salaried employees) are exempt from the overtime provision of this chapter. Employees designated as not exempt from the Fair Labor Standards Act (i.e. hourly employees) are not eligible for compensatory time.

Salaried (exempt) employees who are not eligible for overtime pay shall be entitled to compensatory time off for time worked in excess of the workweek designated by the Wage and Personnel Board as the regular workweek for that position. Employees must use this compensatory time within the next consecutive two week pay period and shall schedule this time off with their department head and/or appointing authority.

**Incentive increases** Wage and Personnel By-law Section: 35-20

Any full-time employee may qualify for an incentive pay raise for the successful completion of certain education programs under the following conditions:

- A. A written recommendation must be made by the department head to the Board of Selectmen and to the Wage and Personnel Board, giving a detailed description of the course and reasons why it should be considered for an incentive increase.
- B. Prior to the start of the program, approval must have been received from the Personnel Board and the Board of Selectmen.
- C. Upon completion of each approved program, the employee must submit an application, in writing, to his/her department head for an incentive increase, such application to include documentation of the successful completion of the courses and the marks attained.
- D. The application shall be considered at a joint meeting of the Board of Selectmen, the Wage and Personnel Board and the department head. Approval for the increase shall be by a majority vote, with each Board and the department head having one vote each.
- E. The incentive increase is to be 1% of the employee's base salary for each educational program approved. Each employee who successfully qualifies for an incentive increase shall have the increase added to his regular salary rate throughout his/her tenure as a Town employee. No employee shall receive more than two 1% incentive increases in any calendar year.
- F. Any approved incentive increase shall become effective on the first day of the month following completion of the particular approved educational program, completion being the date of the last scheduled class of this program.

**Promotions; Change of Position** Wage and Personnel By-law Section: 35-18

- A. When an employee is promoted to a higher-graded position, the employee shall enter it at the minimum step for that position. If the employee's existing rate is higher than the minimum rate of the new position, the employee will move to the lowest step in that grade with a rate greater than employee's present rate. If the difference between the rate of this lowest step and the present rate is less than 2%, then the employee will move to the next higher step. The employee may also receive an additional one-step increase, above any other increases at the time of promotion, if the department head recommends, in writing, that qualifications and performance warrant it and the Wage and Personnel Board approves it.

- B. If an employee applies for a lower-graded position (acting willingly and on one's own initiative) the employee shall enter it at the grade and step such position was posted. If warranted, the department head may request the pay rate of such employee be adjusted to the appropriate step for his/her new position within 90 days by such adjustments as the Wage and Personnel Board shall determine.
- C. If the appointing authority for a position approves the temporary appointment or hire of an interim employee for the following positions, Town Administrator, Police Chief, Fire Chief, Principal Assessor, Town Accountant, Water Superintendent, Inspector of Buildings, Library Director, Head Maintenance Custodian, Health Agent, COA Director, Highway Surveyor, Town Clerk, Town Treasurer/Collector, the salary for that interim employee shall be 10% less than the elected official salary, or 10% less than the Step 1 of the Grade for that non-elected position.
- D. Existing reclassified positions do not need reposting due to reclassification.

**Mileage reimbursement** Wage and Personnel By-law Section: 35-21.3

Mileage reimbursement for private vehicles used by Town employees while on Town business shall be the standard mileage rate used to calculate the deductible costs of operating an automobile for business purposes set by the Internal Revenue Service (IRS). The mileage reimbursement rate shall be the IRS rate in effect on the date the mileage costs were incurred. For employees travelling out of Town the number of miles is calculated using the distance shown on a recognized map service (i.e. MapQuest). For employees travelling directly from their place of residence, the employee should use the distance from the employee's residence or the employment address, to the training/meeting site, whichever creates a shorter distance.

**Non-Union Sick Leave Bank** Wage and Personnel By-law Section: 35-28.1

**Purpose**

The purpose of this sick leave bank is to provide at no additional cost to the Town, additional sick leave to certain employees who are absent from work for prolonged periods due to personal illness, or injury, which does not qualify, for workmen's compensation benefits. Participation in or use of the bank is wholly and entirely voluntary.

Full details regarding Management, Establishment and Access can be found in the Wage and Personnel By-law.

## **Electronic Communication and Information Policy**

This Policy is intended to provide a framework for use of electronic communication and information, including but not limited to email, phone usage, cell phones, pagers, fax machines and internet.

Use of the Town of Halifax's electronic communication equipment and information technology by any employees and contractors shall constitute acceptance of the terms of this policy and any such additional policies.

### Definitions

Data: Data includes (but is not limited to) the following:

- Electronic files regardless of origin or format;
- Information in the form of images, text, spreadsheets, audio presentations, maps, programs or any other form of electronic communication.
- Email regardless of form or application used to generate including any and all attachments;
- Internet access history files including temporary files (temp files), "cookies" and associated
- Data present as part of Internet navigation.

### Privacy

The Town of Halifax retains the right to inspect any user's computer, and Data contained in it and any Data sent or received by that computer. The Town of Halifax will exercise that right when reasonable and in pursuit of legitimate needs for supervision, control, and the efficient and proper operation of the workplace. Users should be aware that the Town's IT Specialist who has appropriate privileges, routinely monitors network traffic; and in doing so has the ability to access all files, including email files and Internet use history, stored on any computer.

The Town reserves the right to impound or confiscate a Town computer from the employee to which the computer is assigned; to review any and all data therein including personal emails and/or other personal information generated or received by the employee; and that whatever material, information, or data is on said computer is not private and is the property of the Town with the employee having no right to remove such material, information, or data in whatever form.

All Data originating from or passing through the Town of Halifax's Network are considered to be the property of the Town. No employee, contractor, or private citizen has any expectation of privacy in electronic communications and information made or stored on Town equipment.

## Security

All usernames and passwords are for the exclusive use of the individual to whom they are assigned. The user is personally responsible and accountable for all activities carried out under his/her username. The password associated with a particular personal username must not be divulged to another person (with the exception of the IT Specialist). No one, without prior written authorization from the IT Specialist, may use, or attempt to use, a username or password allocated to another person.

All users must correctly identify themselves at all times. A user shall not pose as another, withhold his/her identity or tamper with audit trails. A user shall take all reasonable precautions to protect his/her resources. In particular, passwords must adhere to accepted good password practice in accordance with the IT Specialist's guidelines.

## Acceptable Usage

Use of communication and information technology is permitted and encouraged where such use is suitable for business purposes and supports the goals and objectives of the Town of Halifax. Communication equipment and information technology is to be used in a professional manner that is consistent with the normal execution of an employee's job responsibilities.

Access to the Town of Halifax's communication equipment and information technology is provided for business use. Use for other purposes, such as personal electronic mail or recreational use of the World Wide Web, is a privilege and not a right. This privilege can be rescinded at any time. Any such use must not interfere with the user's duties or any other person's use of communication equipment and information technology and must not, in any way, bring the Town of Halifax in to disrepute.

## Unacceptable Usage

Unacceptable use of the Town of Halifax's communication equipment and information technology includes, but is not limited to, use:

- In furtherance of any illegal act, including violation of any criminal or civil laws or regulations, whether state or federal;
- For any political purpose, for example, use of governmental resources including copies, computers, telephones, fax machines, and any other equipment or supplies purchased or maintained by the government) to promote a political campaign or political cause;
- For any commercial purpose, including unsolicited advertising, often referred to as "spamming";
- To send threatening or harassing messages, whether sexual or otherwise;
- To access or share sexually explicit, obscene, or otherwise inappropriate materials;
- To infringe on intellectual property rights (including article and software) in violation of copyright, trademark, patent, design and moral rights;

- For any use that causes interference with or disruption of network users and resources, including propagation of computer viruses or other harmful programs;
- To intercept communications intended for other persons.
- To distribute chain letters;
- To access online gambling sites;
- For the retention of propagation of material that is offensive, obscene or indecent.
- To slander or otherwise defame any person;
- To misrepresent either the Town of Halifax or a person's role in the Town;
- To disseminate any unauthorized confidential or personal information about any person or project.
- For excessive non-work related purposes.

Also, downloading of personal software, or non-work related materials from the Internet, is prohibited, without prior written permission of the system's administrator.

#### Policies specific to electronic mail (email)

The electronic mail system is the property of the Town of Halifax and is provided for business use. The Town of Halifax reserves the right to monitor the use of electronic mail, including the right to access any user's electronic mail account or stored messages for legitimate business purposes. During the normal course of business, the Town of Halifax makes an electronic copy of all data and electronic mail files. Use of the electronic mail system by employees shall constitute their consent to this access by the Town.

Electronic mail is a "public record" under the Public Records Law, Mass. G.L. c. 66, sec. 10. Any record may be subject to examination by the Supervisor of Records or a judge and may be subject to court mandated disclosure. Electronic mail messages related to projects and initiatives of the Town of Halifax should be retained with other records of those projects and initiatives under the policies of the Record Retention statutes. Printed copies of the electronic mail messages may be filed with other project records. All business for the Town should be conducted on using the employee's Town email account and not personal email. Conducting business for the Town on personal email accounts may make all emails on that account subject to the Public Information Act.

Users should be aware that opening programs attached to email may cause computer viruses to infect our system and should only open such attachments from anticipated and trusted sources, particularly where the email is from outside the Town.

Employees should not broadcast to all employees via email without permission from the Town Administrator's office.

## Policies specific to Telephone Usage

Telephones are provided for business. Personal telephone calls may be permitted, but employees should exercise good judgment in making such calls. Managers are responsible for monitoring employees' telephone usage. Excessive telephone usage for purposes not related to the Town of Halifax may result in discipline up to and/or including termination.

## Policies specific to the Internet

The Internet is a global source. The Internet is an almost limitless vault of information. It provides access to company, federal and state sites, research articles, newspaper and news-related sites and a multitude of other resources that an employee may deem necessary to perform daily duties.

The Town of Halifax reserves the right to monitor the use of the Internet. During the normal course of business, the Town of Halifax makes an electronic record of Internet activity. Use of the Internet by employees shall constitute their consent to this access by the IT Specialist.

The Town of Halifax retains full discretion to decide which employees shall be allowed the privilege of Internet access. Inappropriate or excessive use of the Internet may result in rescission of Internet privileges and/or discipline.

## Discipline

Violation of the Electronic Use and Information Policy may result in disciplinary procedures and/or criminal proceedings. The Town of Halifax reserves its right to take legal action against individuals who cause the Town to be involved in legal proceedings as a result of their violation of licensing agreements and/or other violations of this policy.

Actions will include, where relevant, immediate removal of access to communication equipment and/or the Internet. The Town of Halifax reserves the right to audit and/or suspend access without notice pending any inquiry.

The policy is not exhaustive and inevitably new social and technical developments will lead to further uses which are not fully covered. This policy is meant to be read in conjunction with other policies of the Town of Halifax.

## **Standards of Conduct (General Laws CH268A, Sec. 23)**

In addition to the other provisions of this chapter, and in supplement thereto, standards of conduct, as hereinafter set forth, are hereby established for all municipal employees.

No current officer or employee the Town of Halifax shall knowingly, or with reason to know:

- 1) Accept other employment involving compensation of substantial value, the responsibilities of which are inherently incompatible with the responsibilities of his public office;



- 2) solicit or receive anything of substantial value for such officer or employee, which is not otherwise authorized by statute or regulation, for or because of the officer or employee's official position; or (ii) use or attempt to use such official position to secure for such officer, employee or others unwarranted privileges or exemptions which are of substantial value and which are not properly available to similarly situated individuals;
- (3) act in a manner which would cause a reasonable person, having knowledge of the relevant circumstances, to conclude that any person can improperly influence or unduly enjoy his favor in the performance of his official duties, or that he is likely to act or fail to act as a result of kinship, rank, position or undue influence of any party or person.
- (4) Present a false or fraudulent claim to his employer for any payment or benefit of substantial value.

No current or former officer or employee of the Town of Halifax shall knowingly, or with reason to know:

Accept employment or engage in any business or professional activity which will require him to disclose confidential information which he has gained by reason of his official position or authority;

Improperly disclose materials or data within the exemptions to the definition of public records as defined by section seven of chapter four in the Standards of Conduct, and were acquired by him in the course of his official duties nor use such information to further his personal interest.

Upon qualification for office following an appointment or election to a municipal agency, such appointed or elected person shall be furnished by the town clerk with a copy of this section. Each person shall sign a written acknowledgment that he/she has been provided with such a copy.

### **Appropriate Conduct**

As an employee of the Town of Halifax, you are expected to accept certain responsibility, adhere to acceptable business principles in matters of personal conduct, and exhibit a high degree of personal integrity at all times.

Types of behavior and conduct that the Town of Halifax considers inappropriate are outlined in the Disciplinary Policy below.

Should your performance, work habits, overall attitude, conduct or demeanor become unsatisfactory in the judgment of the appropriate supervisor, based on violations either of the above or of any other Town policies, rules or regulations, you will be subject to disciplinary action, up to and including dismissal.

## **Disciplinary Policy**

All employees are responsible for obeying regulations necessary for proper operation of departments in the Town. Disciplinary actions shall be discharged with the utmost concern for individuals involved.

Disciplinary action may be imposed upon an employee for misconduct or failure to fulfill responsibilities as an employee. Sufficient cause for disciplinary action shall include, but not be limited to, the following:

- A. Incompetence or inefficiency in performing assigned duties
- B. Inability to perform one of more critical elements of the position
- C. Refusal to perform a reasonable amount of work or violation of any reasonable official order or failure to carry out reasonable directions made by a proper supervisor
- D. Habitual tardiness
- E. Absence without leave
- F. Abuse of sick leave
- G. Intoxication while on duty
- H. Possession or use of a controlled substance while on duty
- I. Possession of illegal narcotics or substance abuse while on duty
- J. Misuse or unauthorized use of Town property
- K. Disclosure of Town confidential information
- L. Conviction of a felony
- M. Violation of safety rules, practices and policies
- N. Engaging in any form of harassment
- O. Falsifying employment or other records
- P. Soliciting or accepting gratuities from customers or clients
- Q. Excessive, unnecessary or unauthorized use of Town supplies, particularly for personal purposes
- R. Using obscene, abusive or threatening language or gestures while on the job
- S. Theft of property from co-workers, customers, or the Town of Halifax
- T. Unauthorized possession of firearms on the Town of Halifax premises or while on Town business. Employees are expected to obey all Massachusetts firearm laws.
- U. Insubordination
- V. Discourteous conduct toward citizens and other person using Town facilities, and
- W. Any other situation or instance of such seriousness that disciplinary action is warranted

Disciplinary Action:

Nothing herein shall be construed to limit the Town's right to impose discipline of any degree, including discharge in a particular case without regard to the existence or non existence of prior disciplinary action.

Department heads and supervisors shall be responsible for enforcing rules and regulations. Disciplinary action shall include only the following: oral reprimand, written reprimand, disciplinary probation, suspension, and discharge. All should be documented and a copy should be kept in the employee's personnel file, located in the Treasurer's office. A Disciplinary Form can be found on the Town of Halifax website on the Wage and Personnel page

## **Harassment**

The Town of Halifax will in no way condone, allow, or accept any form of harassment of one employee by another employee. This anti-harassment policy applies not only to these forms of harassment that are prohibited by law, including harassment based on race, color, religion, national origin, ancestry, sex, gender identity, age, handicap (disability), sexual orientation, genetics, or active military or veteran status, and any form of harassment (such as bullying and the like) which creates a hostile work environment and in any way interferes with an employee's ability to perform his or her job.

It is the Town's goal to promote a workplace free of all forms of harassment in whatever form and an employee who complains of being harassed and/or being subject to a hostile work environment will also be protected against retaliation by others.

Any employee complaints of violations of this policy should be presented to the Department Head who will cause the matter to be investigated. Should the complaint be against the Department Head, it should be presented to the Town Administrator. Where a determination has been made that inappropriate conduct occurred, the Town will act promptly to eliminate the conduct and impose such corrective action as is necessary, including disciplinary action that could result in a termination of employment.

The Town takes these matters very seriously and, as referenced, this policy is in no way intended to limit the Town's authority to discipline or take remedial action for workplace conduct which we deem unacceptable, regardless of whether that conduct falls within legally prescribed areas.

A Sexual Harassment Policy Acknowledgement must be completed on a yearly basis.

## **Appropriate Dress**

Discretion of style of dress and behavior is essential to the efficient operation of the Town Offices. Employees are, therefore, required to dress in appropriate attire and to behave in a professional, businesslike manner.

## **Smoking Policy**

In order to maintain a safe and comfortable working environment and to ensure compliance with applicable laws, smoking in Town offices, Town vehicles and facilities is not allowed. Because the Town may be subject to criminal and civil penalties for violations of applicable smoking laws, we must insist on strict adherence to this policy. Employees may be subject to disciplinary action for violating this policy.

## **Grievance procedure**

### A. Definitions; settlement of grievance

#### (1) Definitions.

- (a) A **grievance** is a dispute involving the meaning, interpretation, or application of any or all specific provisions of the bylaw.
- (b) A **party in interest** is the person or group with the grievance, any person who might be required to take action, any person against whom action might be taken, or any witness who might be called during the grievance procedure or in resolving the grievance.

#### (2) Any grievance, disagreement or dispute which may arise involving the application, meaning or interpretation of this Chapter or performance evaluation shall be settled in the following manner:

##### (a) Step 1.

The aggrieved employee shall submit the grievance, in writing, to his/her department head within five (5) working days of the date of the grievance. The department head [or his designee(s)] shall attempt to settle the matter and shall respond, in writing, to the employee within five (5) working days of the receipt of the grievance. A grievance form can be found on the Town of Halifax website on the Wage and Personnel page.

##### (b) Step 2.

- (1) If the department head has not responded within the given time limit or if the grievance has not been settled to the employee's satisfaction, the employee may submit the grievance, in writing, to the Wage and Personnel Board within 10 working days of the department head's response (or if there has been no response, within ten (10) working days of the date the response was due).

(2) This written grievance shall include the following information:

[a] A statement as to the action being grieved.

[b] A statement as to when the action causing the grievance happened or became known to the employee.

[c] A statement as to which part(s) of this chapter have been violated.

[d] Evidence (documentary if possible) to support this grievance.

[e] A statement of the remedy or relief sought.

(3) The Wage Board will consider the grievance at its next regularly scheduled meeting and, if the employee so requests, will hold a hearing either at or within two calendar weeks of this first meeting.

(4) The Wage Board will respond, in writing, to the employee within three calendar weeks of this meeting or hearing, whichever occurs later, sending a copy of the decision to the department head.

(c) Step 3.

(1) If the decision of the Wage Board is not satisfactory to the employee, it may be appealed, in writing, to the Board of Selectmen within two calendar weeks of the date of the Wage Board's decision or the date on which said decision is due, whichever occurs first.

(2) The Selectmen will consider the grievance at their next regularly scheduled meeting and, if the employee or Wage Board so requests, will hold a hearing either at or within two calendar weeks of this first meeting.

(3) The Selectmen will respond, in writing, to the employee within three calendar weeks of this meeting or hearing, whichever occurs later, sending copies of their decision to both the department head and the Wage Board.

B. Failure by the employee to submit a grievance in accordance with the procedures and time limits established in this grievance procedure shall be deemed a waiver of the grievance.

C. Failure by either the Wage Board or the Selectmen to process or respond to a grievance in accordance with this procedure shall be deemed a granting of the grievance.

D. Time limits provided in various steps of the grievance procedure may be extended by the mutual written agreement of both parties.