

Voter Information Bulletin

Town of Douglas

April 2006

Special Town Meeting

Monday, April 3, 2006 at 7:00 PM

Douglas High School Auditorium

Message from the Finance Committee

The primary purpose of this meeting will be to act on the proposed significant changes to the Personnel Bylaw as recommended by the Personnel Board. This meeting is also intended to finalize appropriations for this Fiscal Year and to serve as a final meeting before the Annual Town Meeting for the Fiscal Year 2007. Articles involve clarification of appropriations, prior year bills, additional funding of accounts through transfers within the FY06 budget. These articles address known deficits in Unemployment, Town Accountant and Town Counsel funding. Due to changes in personnel decisions, the Health Insurance Account has adequate financial resources to fund these transfers.

Article 1. Personnel Bylaw - Proposed Change

Article 2. Capital Improvement Bylaw – Proposed Change

Article 3. Martin Road Park Engineering

Article 4. Prior Year Bills

Article 5. Debt

Article 6. Unemployment

Article 7. Town Accountant

Article 8. Town Counsel

Article 9. Board of Assessors

Article 1. Personnel Bylaw - Proposed Change:

To see if the Town will vote to delete the Personnel Bylaw in its entirety and replace with the following:

TOWN OF DOUGLAS
MASSACHUSETTS

DOUGLAS PERSONNEL BYLAW

Adopted at Annual Town Meeting May 17, 1986

And as Amended May 16, 1992

And as Amended April 3, 2006

DOUGLAS PERSONNEL BYLAW

TABLE OF CONTENTS

<u>ITEM</u>	<u>PAGE</u>
I. GENERAL PROVISIONS Purpose, Application, Bylaw Superiority, Severability	3
II. CREATION OF THE PERSONNEL BOARD	3-5
III. COOPERATION OF PERSONNEL BOARD WITH OTHER COMMITTEES/BOARDS	5
IV. DEFINITIONS	5
V. EMPLOYEE BENEFITS	6-10
VI. PERSONAL LEAVE	10

I. GENERAL PROVISIONS

A. PURPOSE:

The provisions of this Personnel Bylaw (herein referred to as the Bylaw) shall be for the purpose of providing, creating and supervising personnel policies in the Town of Douglas, Massachusetts.

B. APPLICATION:

The Bylaw shall apply to all employees, except those positions filled by popular election, those under contract, those covered by a collective bargaining agreement, and those under the direction and control of the School Committee. The Bylaw and Personnel Policies and Procedures may be used as a guide for authorized officials in determining the compensation of and personnel policies for the exempted employees listed above. The Bylaw shall go into effect no later than thirty (30) days from the date of its adoption.

C. BYLAW SUPERIORITY:

This Bylaw supersedes any policies, directives or personnel procedures now in effect, unless otherwise provided for or mandated by law.

D. SEVERABILITY:

Should any portion, section, or provision of this Bylaw be found invalid for any reason, that finding shall not affect the validity and force of any other section, portion, or provision of this Bylaw.

II. CREATION OF THE PERSONNEL BOARD:

- A.** There shall be an unpaid Personnel Board consisting of five (5) town residents to be appointed as follows:

Two (2) members by the Board of Selectmen. The initial appointments shall be one for two (2) years and one for three (3) years.

Two (2) members by the Finance Committee. The initial appointment shall be one for two (2) years and one for three (3) years.

One (1) member by the Town Clerk. The initial appointment shall be for one year.

All members of the Personnel Board should not be in conflict with any provisions of the Massachusetts Conflict of Interest Law M.G.L. 268A. After the initial terms expire; all appointments will be for three (3) year terms. Any member may be reappointed. In the event of a vacancy on the Board, it shall be filled by the same appointing authority for the unexpired term.

- B.** In making these appointments, the appointing authority shall give consideration to the personal qualifications of those citizens who will best meet the responsibility of the Board to represent both Town employees and taxpayers. If possible, the make-up of the Board shall consist of people who are familiar with the principles and experienced in the methods and practices of labor relations and personnel administration.
- C.** Forthwith after its appointment, and annually, a majority of the Board shall meet and organize by electing a chairman, vice chairman and secretary. A majority of the Board shall constitute a quorum for the transaction of business. A majority of the Board shall determine the action the Board must take on all matters which it is authorized or required to act upon under this bylaw.
- D.** The Board shall be vested with all the powers and duties specified in the General Laws of the Commonwealth, Chapter 41, Section 108C.
- E.** The Board shall be vested with the authority to promulgate such rules and regulations as are necessary for the proper administration of this Bylaw and any classification and compensation plans adopted hereunder.
- F.** The Personnel Board shall appoint a Personnel Assistant, who is not a member of the Board, who shall be responsible for the administration of this Bylaw and any classification and compensation plans and such rules and regulations regarding such plans as may be promulgated by the Personnel Board. The Personnel Assistant shall maintain adequate personnel records of all employees occupying positions subject to this Bylaw and any

classification and compensation plans. He or she shall furnish the Board with information and make recommendations as to initial classification, approval of reports, the settlement of grievances, and any other actions relevant to this Bylaw.

- G.** The Personnel Board secretary shall keep proper and adequate records of said meetings and hearings.
- H.** The Personnel Board secretary shall record decisions of the Board and advise affected department and employee in each instance. He or she shall work under the authority and direction of the Board in implementing and administering the provisions of this Bylaw.
- I.** The Board may adopt rules and regulations, consistent with the provisions of this Bylaw, for the conduct of any hearing before it.
- J.** The Board shall establish a classification and compensation plan and shall review it annually. The Board shall recommend action necessary to maintain said plan and/or policies fairly and equitably. Said recommendations may take the form of an article on the warrant for consideration by any annual or special town meeting, provided that such action is in conformance with general bylaws of the Town. Such recommendations shall be made available for use by all departments in preparing their annual budgets.
- K.** The Board shall maintain written job descriptions and specifications of the classes in the classification plan for the administration of this Bylaw.
- L.** The Board shall make an annual report in writing, which shall be included in the annual Town Report.
- M.** The Board in carrying out its duties under this Bylaw shall exercise the town policy of equal employment opportunity.
- N.** The Personnel Board has the authority to establish and amend the Personnel Policies and Procedures for the Town subject to final approval by the Board of Selectmen. The Personnel Board will hold a public hearing prior to such amendments to the Personnel Policies and Procedures becoming effective.
- O.** The Personnel Board shall review the Personnel Bylaws Biennially.

III. COOPERATION OF PERSONNEL BOARD WITH OTHER COMMITTEES AND BOARDS:

The Personnel Board shall confer with the School Committee and Finance Board from time to time, but no less frequently than annually, about wages, salaries, hours and conditions of employment of town employees. It shall establish a cooperative procedure for the exchange of information about wages, hours and conditions of employment.

IV. DEFINITIONS:

As defined in the Town of Douglas Personnel Policies and Procedures

V. EMPLOYEE BENEFITS:

A. VACATION

A vacation week is based on the number of days an employee normally works in a scheduled week.

For regular full-time employees and department heads, paid vacation and personal days are as follows:

Years of Service	Vacation , Weeks	Personal days
1	1	3
2	2	3
5	3	3
10	4	3
15	5	3
20	6	3

For regular part-time employees, paid vacation and personal days are as follows:

Years of Service	Vacation, Weeks	Personal days
1	1	2
2	2	2
5	3	2
12	4	2

For regular limited part-time employees, paid vacation and personal days are as follows:

Years of Service	Vacation, weeks	Personal days
1	1	0
2 or more	2	0

Employees wishing to use vacation time shall submit a request in writing to the department head at least two weeks in advance of the time to be used, unless the supervisor agrees to shorter notice. Department heads shall submit written requests to the appointing authority at least two weeks in advance of the time to be used, or as directed by the appointing authority.

B. HOLIDAYS

Regular full-time and part-time employees shall be entitled to the holidays as follows:

- New Year's Day
- Martin Luther King Day
- Presidents Day
- Patriots Day
- Memorial Day
- Independence Day
- Labor Day
- Columbus Day
- Veteran's Day
- Thanksgiving Day + day after, if a normal work day
- ½ day Christmas Eve + Christmas Day

If a holiday falls on Saturday, the holiday will be observed on Friday for employees who normally work on Friday. If the holiday falls on Sunday, the holiday will be observed on Monday for employees who normally work on Monday.

Holiday pay for full-time, non-exempt employees shall be paid at the scheduled hours for that day. Holiday pay for part-time employees shall be the prorated schedule of hours. Temporary seasonal employees shall not receive holiday pay.

Non-exempt full-time and part-time employees performing their official duties on a holiday and employees performing emergency work on a holiday shall be paid at the rate of one and one-half times their basic hourly rate of compensation.

C. SICK DAYS

A full-time or part-time employee may be granted non-occupational sick leave with full pay as follows. Employees will begin accruing sick leave from their date of hire, however, will not be eligible to utilize sick leave until completion of the probationary period. Subsequent accrual will be based on a fiscal year. Sick leave shall be credited monthly at a rate of 1.25 days per month after each month of employment and may be rolled over from fiscal year to fiscal year to a maximum of 120 days. Employees who are off the payroll for more

than one day in the month shall not be credited with sick leave for that month, unless under the provisions of FMLA

Additionally, any permanent full-time or part-time employee who has accrued a minimum of 8 sick days may join the Sick Leave Bank and must contribute a minimum of 3 days (or hours equivalent to 3 normal work days) during their initial enrollment year and at least 1 sick day (or equivalent hours) per year thereafter. New employees are eligible to join after 7 months of employment if they have accrued 8 sick days. The total contribution of sick days is at the discretion of each employee. No contributed sick days shall be returned to the employee upon withdrawal from the Sick Leave Bank. Sick Bank Utilization Request form attached as Attachment E.

D. TUITION REIMBURSEMENT

Full time regular employees who have worked for the Town for at least one year are eligible for reimbursement for tuition, registration fees, and books for work-related courses which serve to improve their knowledge and skills related to their position with the Town. Reimbursement will be at an annual maximum of \$2,000.00.

Approval for the particular course must be requested prior to enrollment in order to be eligible for the reimbursement, and in order to qualify must have the recommendation of the department head and the approval of the Board of Selectmen. Approval is subject to sufficient municipal funds. Reimbursement shall be made subject upon successful completion of the course or program. The Town may require the employee to sign an agreement to remain with the Town for a period of up to two years after completion of the course, or else be willing to reimburse the Town for the funds.

“Successful completion” of a course shall mean a minimum grade of C or equivalent.

Reimbursement: To receive reimbursement you must submit a fully executed copy of the Educational Assistance Request Form. Forms can be found in the Personnel Policies and Procedures For The Town of Douglas, (Attachment F) along with proof of payment to the educational institution with official grade utilizing the Expense Report (Attachment G).

E. LONGEVITY

All regular full-time employees covered by these policies shall receive a longevity payment based upon the following schedule. The payment shall be paid to each employee upon the anniversary date he/she reaches each level, based upon years of service as of July 1st of each year. This policy becomes effective fiscal year 2007.

Payment Schedule	
Five (5) to Nine (9) years	\$600.00
Ten (10) to Fourteen (14) years	\$900.00
Fifteen (15) to Nineteen (19)	\$1100.00
Twenty (20) to Twenty-four (24)	\$1300.00
Twenty-five years (25) and over	\$1600.00

F. BEREAVEMENT LEAVE

Every full-time and part-time employee shall be entitled to a maximum of five days absence without loss of pay in case of death of a member of his or her immediate family. "Immediate family" is defined as follows: husband, wife, child, brother, sister and parent; a maximum of three days absence without loss of pay in the case of death of a parent of spouse, grandparent, brother-in-law, sister-in-law, and grandchild or a person living in the employee's household; and one day for aunt, uncle, cousin, niece, and nephew.

An exception to policy can be made at the discretion of the department head.

VI. PERSONAL LEAVE:

All full-time employees are entitled to three (3) days of personal leave with pay each fiscal year to be earned and taken in the same manner as vacation benefits for the purpose of attending to personal business which unavoidably conflicts with the employee's work schedule or to observe religious holidays. Except in circumstances that prevent advance notice, employees shall request leave at least seventy-two (72) hours in advance. Personal leave that is not utilized by June 30th of the year in which it is credited shall be forfeited.

Or take any other action related thereto.

Explanation: The Finance Committee found that the proposal lacks integration with a fully researched benefit package that is comparable to other similar and/or nearby communities. For example, the size of the longevity bonuses does not equate to other Towns in the area.

Finance Committee: NOT RECOMMEND

Article 2. Capital Improvement Bylaw – Proposed Change:

To see if the Town will vote to change the first sentence of Article 2, Section 8e(2) of the General Bylaws as follows: "The Committee shall present an annual Capital Improvement Plan to the Town at ~~a Fall Special~~ the Annual Town Meeting, and shall include in such Plan, its recommendations for the scheduling of capital expenditures and for the financing of such expenditures." Or take any other action related thereto.

Explanation: This changes the Capital Improvement Bylaw as recommended by the Department of Revenue/Division of Local Services after a 2005 Financial Management Review. Formulation of the Plan will include funding during the Annual Budget Process.

Finance Committee: RECOMMEND

Article 3. Martin Road Park Engineering:

To see if the Town will vote to amend Article 7 of the Annual Town Meeting of May 14, 2001 to change the use of \$30,000 from construction of a new soccer field to engineering and construction of Soccer Fields and other improvements to Martin Road Park, or take any other action related thereto.

Explanation: The appropriation wording should match the intent for use of the funds. Currently, the Recreation Committee and the Board of Selectmen are attempting to correct ongoing engineering issues at Martin Road.

Finance Committee: RECOMMEND

Article 4. Prior Year Bills:

To see if the Town will vote to transfer from available funds the following sums to pay for the following prior year's bills:

Unibank	\$2,075.00
Shared Technologies Inc.	\$127.50
Verizon	\$ 23.55
Total	\$2,226.05

or take any other action related thereto.

Explanation: These bills did not get paid in past Fiscal Years due to late billing or oversight error. Services have been performed and the charges are valid. They must be approved by Town Meeting by a 9/10 vote to allow payment.

Finance Committee: RECOMMEND

Article 5. Debt:

To see if the Town will vote to transfer from available funds the sum of \$22,752 for the payment of 0175190059113 Long-Term Debt Interest (\$7,752), 0171090059113 Long-Term Debt Principal (\$15,000), for previously purchased Chapter 61 land, or take any other action related thereto.

Explanation: This payment was not included in the Debt Schedule for Fiscal 2006 and must be paid.

Finance Committee: RECOMMEND

Article 6. Unemployment:

To see if the Town will vote to transfer from available funds the sum of \$80,000 to 01913700 Unemployment Expenses, or take any other action related thereto.

Explanation: The expenses this year are much higher than anticipated due to programming changes at the School Department. The Annual appropriation for this account is minimal at \$20,000. Additional funding of \$36,000 was appropriated at the November Special Town Meeting. This is the second additional appropriation to this account during this 2006 Fiscal Year bringing the total to \$136,000.

Finance Committee: RECOMMEND

Article 7. Town Accountant:

To see if the Town will vote to transfer from available funds the sum of \$20,000 to 01135200 Town Accountant Expenses to pay for financial consulting services, or take any other action related thereto.

Explanation: Costs associated with tracking and collating FY05 financial documentation for Municipal and School reports, expediting School Project reimbursement and initiating the required Project Audit have driven consultant costs.

Finance Committee: RECOMMEND

Article 8. Town Counsel:

To see if the Town will vote to transfer from available funds the sum of \$45,000 to 01151200 Town Counsel Expenses, or take any other action related thereto.

Explanation: Significant Legal costs for this Account are associated with approvals and permitting of land development.

Finance Committee: RECOMMEND

Article 9. Board of Assessors

To see if the Town will vote to transfer the sum of \$9,000 from 01141100 Assessors Salary Account to 01142200 the Revaluation Account, or take any other action related thereto.

Explanation: The Lister salary is not needed within the Salary line item since the position is not filled. The Board of Assessors has made alternative arrangements to complete this necessary updating of property values by contracting the service through the Revaluation company.

Finance Committee: RECOMMEND



Town of Douglas
29 Depot Street
Douglas, MA 01516

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U.S. POSTAGE PAID
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RESIDENT

DOUGLAS, MA 01516

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Monday, April 3, 2006
Douglas High School Auditorium**