

TOWN OF ERVING
SELECT BOARD / WATER COMMISSIONERS
 To be held at the Senior & Community Center
 1 CARE DRIVE, ERVING, MASSACHUSETTS 01344

Jacob A. Smith, Chair
 Scott Bastarache
 James Loynd
Select Board

Bryan Smith
Town Administrator

Meeting Agenda
Monday, February 05, 2024

This meeting is open to the public.

Scheduled Business

<i>Time</i>	<i>Agenda Item</i>
7:00 PM	Call to Order

Old Business

<i>Agenda Item</i>	<i>Section</i>
Review of Proposed Personnel Policies & Procedures Manual Draft	1
Review of Non-Union Police Department Personnel Compensation Schedule	2

New Business

<i>Agenda Item</i>	<i>Section</i>
Discussion Regarding 2024 Almost Anything Goes Program	3
Review and Potential Appointment of Historical Commission Vacancy Letter of Interest- Kelly Loynd	4
Discussion Regarding Town Planner Position Preliminary Screening Committee	5
Discussion Regarding Surveying Services for Care Drive ROW and Subdivision	6
Surplus Equipment Request- Community Planning	7

Other Business

Signing of the Treasury Warrant

Anticipated Next Meeting Dates

Monday, February 12, 2024

Tuesday, February 20, 2024

Note: These agenda items and estimated times are those reasonably anticipated by the Chair. Not all items listed may in fact be discussed and other items not listed may be brought up for discussion. Estimated agenda times may need to be changed on the night of the meeting for the sake of expediency. Section numbers correspond to agenda packets and are not an indication of the order of the agenda

Town of Erving

Select Board Public Meeting Participation Guidance

The Select Board welcomes residents to communicate questions, comments or concerns. Participants at Select Board meetings are notified that the meetings are both video and audio recorded, and comments provided will become part of the record. While offering public input, it is important that the Select Board is also allowed enough time to conduct their other business. The following guidelines have been established to make the best use of time at Select Board meetings.

1. To request time on the Select Board agenda, persons must contact the Town Administrator at (413) 422-2800, Ext.1102 or at SBRequests@erving-ma.gov by noon on the Tuesday before the meeting.
 - a. Requests will be submitted to the Chairperson for consideration and scheduling.
 - b. Supporting documentation related to the request must be provided to the Administrator's office by noon on the Thursday prior to the meeting. The Chairperson may remove requested agenda topics that are made without supporting documentation.
2. The Select Board encourages public participation as follows:
 - a. Town residents can bring comments before the Select Board that require discussion and are on the agenda, only after being recognized by the Chair. If your issue is not on the agenda, you may bring it up under "Future agenda items".
 - b. "Topics not anticipated" should be brought to the Chair for possible consideration prior to the meeting.
 - c. Please try to keep your comments short and to the point.
 - d. If it appears that the topic(s) being discussed will consume longer than the time allocated then, at the discretion of the Chair, the matter will be placed on an upcoming Select Board meeting agenda.
 - e. If you believe that your topic will require more time or desire to make a more formal presentation than is allowed under these guidelines, please contact the Town Administrator to ask to be put on a future agenda so that we can properly allocate enough time.
 - f. You are free to ask questions or to make your point for all to consider. However, engaging in active debate with Select Board or audience members will not be allowed.
 - g. All comments and questions must be directed to the Chair of the Select Board per MGL Chapter 30A, Section 20(g).
 - h. Participants are expected to speak from the presenter/guest table.
3. Employees and Board members who have business with the Select Board should be placed on the agenda beforehand (see Item # 1.).
4. Anyone wishing to contact the Select Board in writing may do so at:

Town of Erving, Attn: Select Board, 12 East Main Street, Erving, Massachusetts 01344

Alternatively, members of the public can complete a Select Board submission form at the meeting sign in table and office staff member will follow up.

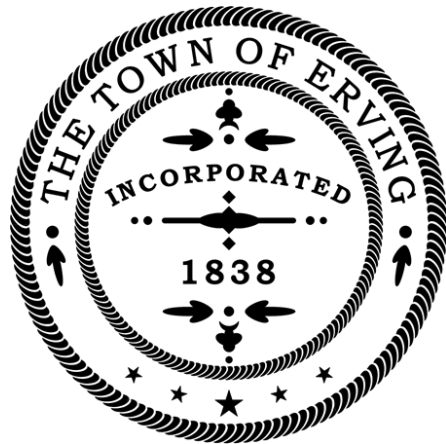
The Select Board appreciates your cooperation in honoring these guidelines.

From Massachusetts Attorney General Official Website

What public participation in meetings must be allowed?

Under the Open Meeting Law, the public is permitted to attend meetings of public bodies but is excluded from an executive session that is called for a valid purpose listed in the law. Any member of the public also has a right to make an audio or video recording of an open session of a public meeting. A member of the public who wishes to record a meeting must first notify the Chair and must comply with reasonable requirements regarding audio or video equipment established by the chair so as not to interfere with the meeting. The Chair is required to inform other attendees of such recording at the beginning of the meeting.

While the public is permitted to attend an open meeting, an individual may not address the public body without permission of the Chair. An individual is not permitted to disrupt a meeting of a public body, and at the request of the Chair, all members of the public shall be silent. If after clear warning, a person continues to be disruptive, the Chair may order the person to leave the meeting, and if the person does not leave, the Chair may authorize a constable or other officer to remove the person.



TOWN OF ERVING, MASSACHUSETTS

Personnel Policies & Procedures Manual

www.erving-ma.gov/personnel

Town of Erving | 12 East Main Street, Erving, Massachusetts 01344



TOWN OF ERVING

12 Main Street
Erving, Massachusetts 01344
Telephone: (413) 422-2800
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ADM-
Policy

Personnel Policies and Procedures Manual

Approved: _____ Date: _____
Select Board Chair, Jacob A. Smith

Issue Date / Effective Date

This manual of personnel policies and procedures is issued and effective on _____.

This policy supersedes the Town of Erving Personnel Policies manual last revised in November 2015.

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PERSONNEL POLICIES AND PROCEDURES
Town of Erving, Massachusetts

WELCOME

Congratulations and welcome as an employee of the Town of Erving! The Select Board of the Town of Erving is pleased to welcome you as a member of our team of dedicated employees that work for the betterment of our community. We hope that you will enjoy working with us in a spirit of cooperation that results in top service to our community.

These Manual details the Town's personnel policies. It is a compilation of guidelines, procedures, expectations, and benefits. We hope it will help you adjust to the routines that make the Town of Erving run smoothly.

If, after reviewing this Manual, you have any questions, please consult your Department Head or the Town Administrator's Office.

Purpose, Authority, and General Provisions

In accordance with the Town's Personnel Policies By-Law, Chapter 53, § 53-1, the Town has created this Employee Personnel Manual. This Employee Personnel Manual applies to all Town employees, except those appointed by the Erving School District, and for those Town employees who are either members of a bargaining unit subject to the terms of a collective bargaining agreement or non-bargaining unit employees who are parties to an individual employment agreement. It sets forth the terms and conditions of employment for those Town employees to which it applies.

These personnel policies establish an efficient system of personnel administration. They provide a broad view of employee guidelines, practices, and job expectations in conformance with federal and state statutes.

This ~~document~~ Manual is not an expressed or implied contract between the Town of Erving, any employee, or any group of employees, and is for informational purposes only. It is not all inclusive and is intended to offer only general guidelines. The policies, benefits, and operating procedures contained in this Manual are not intended to create and are not to be construed to create any contract, agreement or legally binding obligation between the Town of Erving and its employees. Any highlights of benefits contained in this Manual are not intended to take the place of more detailed benefit plan documents. Descriptions in the plan documents will override the information in this ~~document~~ Manual in the event the information presented in this Manual conflicts with the information in the plan documents. This Manual does not guarantee any specific level of benefits or continuation of any specific benefits. The Select Board reserves the right to change, suspend, or discontinue the provisions of these policies, procedures, benefits and guidelines at its sole discretion, with or without notice. The Select Board has the exclusive authority to make final determinations on issues resulting from a lack of clarity of these policies.

The Select Board has the authority to make all appointments and effect discharge from any position not under the jurisdiction of another Town Board or Commission (Appointing Authority). Certain other Town Officers have the right to make appointments, supervise, discipline and terminate personnel within their department. The Select Board may delegate authority detailed in this policy to Town staff, subject to the Select Board's final approval.

Unless otherwise provided for in a collective bargaining agreement or individual employment agreement, all individuals employed by the Town of Erving are employed "at will", and the relationship may be terminated by either party at any time, with or without cause, and with or without notice.

Only the Select Board or the authorized Board, or Commission can create an employment agreement. In such a case, a signed and written agreement is required.

Benefits Waiting Period

The first 30 days of employment with the Town of Erving will be the benefits waiting period for all benefits-eligible employees.

Applicability & ADMINISTRATION

These policies shall be applicable to all employees, whether exempt or non-exempt. In any instance where these policies conflict with federal or state laws, such laws shall be deemed to prevail.

The Town of Erving Select Board is charged with administering and maintaining the Bylaw and Personnel Policies as hereinafter provided and may establish, rescind, or amend such administrative procedures it considers necessary for the implementation of these rules. Such procedures and any amendments thereto shall become effective upon majority approval by the Select Board. All lawful and statutory rights of the Town Administrator, the Select Board and Department Heads not specifically covered herein shall be and are hereby reserved to them.

ARTICLE 1: HOURS OF WORK, BREAKS & OVERTIME

Work Schedule

The regular workday for Town of Erving employees will be set forth in the schedule posted by each employees' respective department. Each respective department's work schedule will be sent to the Select Board. Supervisors are required to record all absences, tardiness, and early departures and the specific reason(s). Absences, tardiness, and early departures for unsatisfactory or unapproved reasons may be grounds for disciplinary action up to and including termination.

Meal & Break Periods

All employees who work at least six (6) hours on a calendar day shall be granted regular thirty-(30-) minute meal periods each workday, which shall, whenever possible, be scheduled in the middle of the normal workday. Time allowed for meal periods shall be unpaid and shall not constitute a part of the paid workday. The Town encourages and requires employees to take their lunch break. During their meal break, employees shall be free of all duties and are free to leave the workplace.

While not encouraged, if an employee voluntarily chooses to work through their scheduled lunch break and maintain duties, the employee will remain paid. Employees that choose to voluntarily work through their lunch break shall complete a voluntary meal break waiver form and submit the completed form to their supervisor and will be forward to the Town Administrator's Office. The employee can choose to take their scheduled lunch break, unpaid as described above.

The only exception to this policy, are meal periods for public safety & public works employees responding to emergencies and engaged in the performance of their duties. Similarly, ~~Patrol~~ Police Officers shall be paid and such ~~Patrol~~ Police Officers shall remain on call during their meal break.

All employees' work schedules shall also provide for up to two (2) fifteen-minute paid breaks – one during each one-half shift of the normal workday.

Overtime

When operating requirements or other needs cannot be met during regular working hours, employees may be scheduled to work overtime hours. When possible, advance notification of the need for overtime will be provided to the Town Administrator by the Department Head or their designee. All overtime work must be pre-approved by the Department Head or their designee. Overtime compensation is paid to all non-exempt employees in accordance with federal and state wage and hour restrictions, and is based on 40 hours per week, actual hours worked. Time off for vacation time, sick or personal leave or any other leave of absence will not be considered hours worked for purposes of calculating overtime.

Commented [BS1]: Open question about whether to include or exclude these leaves

Commented [BS2R1]: And holiday

Payroll and Timekeeping

The Town's workweek runs from 12:00 a.m. on Saturday through 11:59 p.m. on Friday. All timekeeping submissions for the preceding two weeks of the Town's bi-weekly payroll period must be submitted to the Treasurer's Office by 9:00 a.m. on Monday following the close of the second workweek of the bi-weekly payroll period.

Timekeeping Federal and state laws require the Town to keep an accurate record of time worked to calculate employee pay and benefits. Accurately recording time worked is the responsibility of every employee and supervisor. All employees must record and verify all time worked on a daily basis and submit bi-weekly time sheets or other methods of recording time worked, as may be determined by the Town in its sole discretion (through the Treasurer) from time to time, to their supervisor for approval. Employees may not work overtime hours or record another employee's time without prior approval from a department head.

Massachusetts and/or federal law require certain deductions from employee compensation, including any applicable federal or state income taxes and Medicare. All employee deductions for participation in benefits programs are made through payroll. Employees who have any questions about the amount or manner in which deductions are made from their paychecks should speak with the Payroll and Benefits Coordinator in the Treasurer's Office. The Town takes all reasonable steps to ensure that employees receive the correct amount of pay in each paycheck and that employees are paid promptly on the scheduled payday. If there is an error in the amount of pay, the employee must promptly bring the discrepancy to the attention of their supervisor and to the payroll coordinator so that corrections can be made as quickly as possible. This includes overpayment as well as underpayment.

Department Heads

When requested by the Select Board or any other applicable appointing authority to attend Board or Commission, and Town Meetings, Department Heads will schedule the meeting time into their regular weekly hours, whenever practicable.

Hazardous Weather Conditions

The Town of Erving may close work sites due to hazardous weather conditions as recommended by the Select Board. The Chair of the Select Board will make the determinations of closings. The Select Board Chair will ~~call~~ contact the Town Administrator with the determination of whether or not Town Offices or work sites will close or remain open. In the event that Erving Town Offices and or work sites are closed by the order of the Chair of the Select Board due to inclement weather or emergency conditions, those non-exempt hourly employees scheduled to work that day who are unable to perform their job duties by working remotely will receive paid leave equal to the number of hours that they were actually and regularly scheduled to work that day, while exempt employees will be paid their regular salary. Essential personnel, such as but not limited to police, highway, and wastewater employees, must report to work during winter weather conditions unless and until otherwise specifically directed. Employees will be notified using the Town's Smart

911 notification system and the Town will use the Town website and local media stations to notify the general public.

Employees who can perform the essential functions of their respective positions remotely will be required to do so in the event a work site or Town Office is closed. Details relating to remote work are contained in the Town's Remote Work Policy.

The Chair of the Erving Select Board shall determine closing/hazardous weather conditions if non-essential employees are required to report on a day-by-day basis.

Any staff person who is concerned with weather conditions when the office remains open may choose to use their own vacation or personal leave time, but first must advise their supervisor of their intention to use such leave as soon as possible and prior to the start of their scheduled shift. If a decision is made to close the office, the staff person is required to use vacation or personal leave time only up to the time of the closing at which time administrative leave may be used, but only up to employees' daily hours.

The Town of Erving takes an aggressive stand toward potential risks and losses inherent in the operation of the Town. If employees see a dangerous condition or safety hazard, they must immediately report it to their supervisor. Maintaining safe working conditions requires the cooperation of all employees. All employees using a vehicle for Town of Erving purposes shall wear a seat belt in accordance with state law. Attention to personal safety cannot be overemphasized. If an employee has suggestions regarding additional safety measures, the employee is encouraged to share them with their Department Head.

ARTICLE 2: EMPLOYEE BENEFITS

The Town of Erving offers certain benefits to eligible employees including health and life insurance. All benefits-eligible Town employees shall be eligible to enroll and participate in the Town's group health, dental, and life insurance plans as determined by the Town and as outlined in accordance with M.G.L. c. 32B. The Town may, in its sole discretion, change, suspend, or discontinue any or all benefits with or without notice.

Benefits currently offered by the Town of Erving to eligible employees in accordance with the terms of the respective benefits include the following:

- Health insurance;
- Dental insurance;
- Life insurance;
- Short Term Disability insurance;
- Long Term Disability insurance;
- Flexible Savings Accounts (FSA);
- Employee Assistance Program (EAP)

The contact information for all of the Town's benefit providers is maintained by the Treasurer's Office, which ~~contact information~~ may be amended from time to time and is listed in Appendix C of this Policy. For more information about any of these benefits, see the Treasurer or Town Administrator.

Health & Dental Insurance

All benefits eligible employees are entitled to participate in the health insurance programs offered by the Town. Eligibility is in accordance with M.G.L. c. 32B and the Town's policies. Employees must comply with all applicable notice requirements regarding dependents and selection of benefits. ~~The Town of Erving is a member of the Hampshire Group Insurance Trust for health insurance through Blue Cross & Blue Shield.~~ Benefits eligible employees are eligible for coverage effective the date of hire and must enroll within thirty (30) days of the date of hire, otherwise employees must wait until the open enrollment period. Open enrollment is held from April to May annually with benefits years beginning with the fiscal year on July 1st. Benefits eligible employees who are interested should speak to the Treasurer's Office for information on the plans and information regarding enrollment.

When an employee voluntarily terminates their employment, they will continue their health & dental insurances until the end of the month in which they resigned, given that their premiums have been paid in full.

Basic Life Insurance

The Town of Erving will offer a basic life insurance policy for all eligible employees at the time of their initial employment. Employees may be able to adjust and add additional life insurance coverage throughout their employment with the Town after their initial hire. Employees interested in making these adjustments should speak with the Treasurer's Office to complete the necessary paperwork and payroll deductions.

When an employee voluntarily terminates their employment, they will continue their life insurances until the end of the month in which they resigned, given that their premiums have been paid in full.

Short- & Long-Term Disability Insurance

The Town of Erving offers short-term and long-term disability insurance options for benefits eligible employees. Interested benefits eligible employees can choose to enroll in these plans at any time after their hire date. Interested employees should speak to the Treasurer's Office for information on the plans and regarding enrollment.

Flexible Savings Accounts

The Town of Erving offers a Flexible Savings Account (FSA) option for benefits eligible employees. Interested eligible employees can choose to enroll in a pre-tax deducted account to be spent on eligible health related expenses. Interested benefits eligible employees should speak to the Treasurer's Office for information on the plan and regarding enrollment.

Employee Assistance Program

An employee who is experiencing difficulties in their personal life to the extent that job performance, workplace atmosphere or general well-being is affected, is encouraged to seek help through the Employee Assistance Program (EAP). The EAP is designed to help employees and their family members by providing crisis intervention, assessment, referral and short-term counseling services in order to help identify and resolve personal issues and stress, illness, alcohol or other drug abuse, legal issues, financial or marital difficulties, as well as any other distresses. The EAP program is confidential, and information cannot be released without the employee's permission except as required by law.

~~This service is currently provided through AllOne Health Employee Assistance Program (EAP) 24 hours/7 days per week. AllOne Health can be contacted by:~~

- ~~• Calling 1- (800) 451-1834~~
- ~~• Visiting the website: <https://myassistanceprogram.com/miia-eap/>~~

As noted in the introductory section of this Manual, the Select Board reserves the right to change, suspend, or discontinue the provisions of this program, at its sole discretion, with or without notice.

ARTICLE 3: COMPENSATION PLAN

Administration

Each classified position shall be placed in a pay grade with those other positions that are sufficiently similar with respect to difficulty, responsibility, and character of work as to require the same amount of experience and training for satisfactory performance and pay within the established pay range. The Town's Classification and Compensation Plan does not apply to employees in positions that are part of a collective bargaining unit. A list of the positions in the Town's Classification and Compensation Plan is attached to this Manual in Appendix B.

Position Description

A position description, also known as a job description, is a written outline of responsibilities for each job in the classification plan. The position description will be the standard for classifying individual positions and for determining when reclassification may be warranted, as well as for assisting in any dispute over whether an employee is performing assigned duties of a higher pay grade. The statements contained in such position descriptions, which are to be provided to the Town's Personnel Board and/or the Select Board, in the event the Select Board is performing the functions of the Personnel Board, and/or by any Town Department Heads or any applicable Appointing Authority other than the Select Board, are descriptive and not restrictive, and are reviewed to note any significant changes that may have taken place during the preceding year.

Reclassification

Reclassification of positions will occur when the actual duties of a position merit transfer to another pay grade reflecting its duties, authority, and responsibility. All decisions regarding reclassification shall be made at the sole discretion of the Select Board, after reviewing recommendation(s) from the Department Head and Town Administrator.

Pay Plan

The pay plan consists of pay grades directly related to each classification level. Each pay grade shall have established minimum and maximum pay rates set forth in a step scale. No non-exempt employee shall receive pay at any rate other than that rate which is within the step scale established for the classification level of their position, unless approved by the Select Board. The Select Board shall have the authority to make and approve changes in employee compensation resulting from such personnel actions as reclassifications, promotions, demotions, and transfers or because of abolishment, modification, or establishment of classes within the approved budget. Employees currently receiving a wage rate over the maximum of the recommended wage range will not have their wage rate reduced as a result of any classification study. The employee will have their salary "red circled"; that is, they will not receive a wage or salary step increase until their current salary rate no longer exceeds the maximum salary rate of the pay grade for their classification level, unless otherwise approved by the Select Board upon the recommendation of the Department Head and the Town Administrator.

The Select Board may also increase employees' base wages on an annual basis, if the Select Board, in its sole discretion, votes to do so.

~~Not less than~~ At least every five (5) years, the Town shall perform a market comparison that reviews position descriptions, benefits and compensation.

Starting Rates

Employees appointed to positions will ordinarily be compensated within the first three (3) steps of the applicable pay range for that position's respective grade. Subject to the approval of the Select Board, however, appointment at a wage rate above the first three (3) steps of the applicable pay range may be made based upon exceptional qualifications of the applicant or by a lack of qualified applicants available at the minimum rate.

Rate of Pay for Promotion

When a regular employee is promoted to a position classification in a higher pay grade, the employee shall be placed in the new salary schedule such that their salary in the promoted position is at a step on the scale that is the next highest monetary pay rate above the employee's rate of pay in their prior position. The Town, in its sole discretion, however, may place the promoted employee at a step up to ten percent (10%) higher than the employee's pay rate in the position from which the employee is promoted based on the employee's prior experience.

Rate of Pay for Transfer or Demotion

When a regular employee is transferred from a position in one class to a position in another class at the same pay rate, or is transferred with no change in class, the employee shall continue to be paid at the same rate. When a regular employee is demoted to a lower classification level, their salary shall be set at the same step in the lower grade.

Pay for Temporary Assignments Outside Classification

When an employee is temporarily assigned to perform the duties of a position in a class with a higher pay range for thirty (30) or more consecutive workdays, the employee shall be compensated at a rate at least equal to the minimum rate for the higher position for the duration of the temporary assignment.

An employee who is temporarily assigned to perform the duties of a position in a class with a higher pay range on an intermittent basis may, in the Town's sole discretion, prospectively be compensated at a rate at least equal to the minimum rate for the higher position while actually working in that higher position but only after being temporarily assigned and actually performing such duties for more than thirty (30) work days in the aggregate.

Longevity

Policy

1. Upon the completion of an employee's fifth (5th) year of continuous employment with the Town of Erving, an employee shall receive an annual stipend of five hundred dollars (\$500.00), less taxes and withholdings. The stipend shall be paid no later than the second payroll following the employee's anniversary date.
2. Any employee departing the Town's employment before completing their first five years' anniversary date or any subsequent anniversary date will not be entitled to a prorated longevity payment for the partial fifth (5th) year of employment with the Town.
3. For the purposes of calculating their overtime and call back rates of pay, employees will have their base pay rate increased because of their longevity benefit.
4. Continuous employment shall include periods while on Workers Compensation for injury related to employment with the Town, and periods performing military service under orders, provided that no employment other than military service under orders is entered into during the period of interruption, and that the employee returns to Town service within thirty (30) days after honorable discharge from active military service, or immediately upon release from reserve duty. An employee who elected an unpaid leave of absence of more than twelve (12) weeks per fiscal year shall have their longevity payment adjusted by the number of calendar days spent on such unpaid leave.
5. At the anniversary date of each subsequent five (5) years of continuous employment a full-time employee shall receive an increase of an additional two hundred and fifty dollars (\$250.00), less taxes and withholdings, until the maximum stipend of One Thousand Two Hundred and Fifty dollars (\$1250.00), less taxes and withholdings, is reached. Stipends shall be paid no later than the second payroll following the employee's anniversary date and shall be considered as "regular compensation" for the purpose of retirement pursuant to MGL, Chapter 32.

Scope

This policy applies to all Town of Erving full-time and benefits-eligible part-time employees. Elected Officials are excluded from this policy.

Longevity Chart¹

Anniversary Years	Amount
Upon completion of year 5 through year 9	\$500.00, less applicable taxes and withholdings

¹ In order to be eligible for any of the Longevity stipend payments noted below, an employee must complete each requisite five- (5-) year interval.

Upon completion of year 10 through year 14	\$750.00, less applicable taxes and withholdings
Upon completion of year 15 through year 19	\$1,000.00, less applicable taxes and withholdings
Upon completion of year 20 and subsequent years	\$1,250.00, less applicable taxes and withholdings

Call Back Pay

Any regular full-time hourly, non-exempt employee who is called back to a work more than two (2) hours after the employee leaves their normal quitting time will receive a minimum of four (4) hours call back pay at straight time or time and one-half for the actual hours worked, whichever is greater.

Callback pay is not intended to apply when such a full-time, hourly, non-exempt employee works extra hours that merge into their regular shift (i.e., either at the beginning or end of such regular shift) or to attend a posted meeting.

Moreover, a full-time, hourly, non-exempt employee is not entitled to call back pay if they are retained on duty at the completion of their regularly scheduled shift. In such cases, the respective employee shall be paid for the hours actually worked in accordance with the law.

In the event a full-time, hourly, non-exempt employee is either called-in pursuant to this Section or if such employee's regular work hours merge with extra hours or the employee is retained on duty at the completion of their regularly scheduled shift, if the extra work said employee performs results in the employee actually working more than 40 hours in the given workweek, the Town shall pay said employee at time and one-half the employee's regular rate of pay for all hours actually worked over 40 in the workweek.

Compensatory Time

Non-salaried, non-exempt, hourly employees may accrue compensatory time for hours actually worked in excess of their regular 40-hour workweek only upon mutual agreement of both the employee and the Appointing Authority or the employee's Department Head prior to any hours actually being worked. The calculation of compensatory time shall only include hours actually worked – not sick, vacation, Family Medical Leave time, Small Necessities Leave time, any other leave time or holiday leave hours – and such compensatory time shall be accrued at time and one-half (1.5) the employee's regular rate of pay and, when taken, used on an hourly basis.

All work that would result in compensatory time being earned must have prior written approval and, where applicable, shall be charged to the project requiring the extra time.

Compensatory time must be used with thirty (30) days of it being earned, or it will be paid to the employee, unless a longer period of time is approved in writing by the supervisor and/or Appointing Authority. The use of accrued compensatory time by an employee must be approved

Commented [BS3]: Chairman Smith wanted revisit this topic

Commented [BS4R3]: Suggested edits regarding the payout of accrued time and the concern about creating further overtime liabilities are provided in track changes

by the employee's supervisor and cannot create an overtime liability for the Department regarding the employee's leave. Unused accrued compensatory time will be paid out to the employee with the final payroll of the fiscal year if not used within the fiscal year.

Salaried, exempt employees are not eligible for overtime pay or compensatory time off. There are infrequent occasions when a professional, administrative, or managerial employee may be asked to take on added responsibility that for some period of time will clearly and substantially increase the number of hours such an employee works per week. When it is not possible for the individual to delegate other responsibilities or otherwise accommodate these new responsibilities to their normal work week, the principle of fairness will allow that the individuals be given paid administrative time off to compensate for the additional hours worked as a result of the added responsibility within a reasonable period. Such paid administrative time does not accrue.

Deferred Compensation

As permitted by the Federal Revenue Act of 1978, a benefits-eligible employee may, as allowed by law, choose to have part of their pay withheld and invested in a savings plan, annuity, life insurance or any combination thereof. The entire amount invested is deducted prior to the withholding of both federal and state income taxes. The plan will be administered at no cost to the employee. For more information, please contact the Treasurer's Office.

Travel Reimbursement

It is the Town's policy that employees use Town-owned vehicles for official Town business whenever practical, before requesting permission to use their own personal vehicle for official use.

Mileage for work-related travel using personal vehicles will be reimbursed at a rate based on the United States Internal Revenue Service's (IRS) then-applicable published standard mileage rate. The Town will issue an updated travel request form reflecting the new IRS rate for January of each calendar year. Receipts for parking, tolls and itemization travel must be submitted before reimbursement will be authorized.

All travel reimbursement expenses must be submitted within 60 days or expenses will not be reimbursed; provided, however, that travel reimbursement requests from the preceding fiscal year must be submitted and processed before July 15th.

Meals, while on Town of Erving business, will be reimbursed on the basis of receipt with a limit of \$45 per day. Meal reimbursements may include non-alcoholic beverages. Tips may be reimbursed up to 20%, if the total is within the limits, and with proper receipts.

An employee may be reimbursed for their meal and the meal of others if the meal was for business purposes and was pre-approved by the Select Board or the employee's respective appointing authority.

Advance payments by the Town for hotel reservation deposits will only be made directly to the hotel by the Town. If an employee pays for or charges a deposit or the entire hotel charge, reimbursement will not be made until after the employee has completed the hotel stay and then only upon the employee's submission to the Town of a receipt from the hotel or credit card showing payment of the deposit or total charge.

Any other business travel-related expenses not expressly addressed in this policy must be pre-approved by the Select Board or the employee's respective appointing authority.

Payroll Deductions

All earnings and deductions are reflected on the payroll stub. The Select Board is required to withhold the following deductions from wages (M.G.L. Chapter 149, Section 150A):

- Federal Income Tax
- Massachusetts Income Tax
- Social Security
- Pension/Retirement
- Dues Check Off
- Medicare
- Wage Garnishments (upon IRS Notice or Court Order)
- Deferred Compensation
- Other optional employee deductions (group health, life, dental, disability, etc.)

ARTICLE 4: EMPLOYEE LEAVE POLICIES

Holidays

Holiday pay is based on the number of hours a non-exempt, hourly employee would have worked on the day on which the holiday is observed, up to a maximum of eight (8) hours. For salaried, exempt employees, holiday pay for the holidays that regular employees are entitled to, with pay, are:

New Year's Day	Fourth of July
Martin Luther King's Birthday	Labor Day
Presidents' Day	Indigenous Peoples' Day
Patriots' Day	Veterans' Day
Memorial Day	Thanksgiving Day
Juneteenth	Christmas Day

To be eligible for holiday pay, employees must work the day before and the day after the date on which the holiday is observed, unless they are authorized by the Town to be absent on either the day before and/or the day following the holiday.

An employee who is on leave without pay or absent for any part of their scheduled workday immediately preceding or immediately following a holiday shall not receive holiday pay for that holiday unless such absence is authorized by the employee's Department Head. If a holiday falls on a Saturday, the observed holiday and day off shall be the Friday immediately preceding the Saturday; if it falls on a Sunday, the observed holiday and day off shall be the Monday immediately following the Sunday. If the observed holiday falls on a day the benefits eligible employee is not scheduled to work, the holiday may be observed on the regularly scheduled shift that occurs immediately before or after the holiday. In such a case, the shift on which the holiday may be observed shall be subject to the approval of the employee's Department Head.

Essential employees required to work an unscheduled holiday will be paid at a time and one-half their base hourly rate of pay.

Vacation Leave

Vacation hours can be used only upon successful completion of a thirty- (30-) day benefits waiting period, which includes the probationary period. Vacation hours shall accrue from the employee's date of hire. Provided there has been no break in service greater than two (2) years, vacation accrues as follows:

Continuous Service	Vacation Time Accrued²
Date of Hire through completion of four (4) years	6.67 hours each month (eighty [80] work hours/year)
Beginning of year five (5) through completion of eight (8) years	10 hours each month (one hundred twenty [120] work hours/year)
Beginning of year nine (9) through completion of twenty (20) years	13.33 hours each month (one hundred sixty [160] work hours/year)
Beginning of twenty-one (21) + years	16.67 hours each month (two hundred [200] work hours/year)

A benefits-eligible, part-time employee who has successfully completed their benefits eligibility period shall accrue vacation leave on a pro rata basis in the same proportion that their part-time service bears to full-time service.

Vacation shall be credited for use as it is earned. The vacation year shall be on a fiscal year basis from July 1 to June 30.

Vacations shall be subject to the employee's Department Head in their sole discretion. Town employees will be allowed to carry eighty (80) hours of vacation time, plus their yearly vacation accrual, to the subsequent fiscal year.

Department Heads are responsible for making their employees aware of potential forfeiture of accrued vacation leave, on or about April 30th each year. A vacation day shall be based on the employee's regular workday. Thus, if an employee's regular workday is six (6) hours, when an employee takes a vacation day, the employee shall be paid for six (6) hours of vacation leave for that day. Employees shall provide at least two (2) weeks' notice of desired vacation time to the Department Head. Conflicts in scheduling will be resolved on the basis of seniority in continuous service and the operational needs of the Town. All employees will be required to take vacation time in hourly increments unless otherwise approved by Department Heads. Increments cannot be reduced to less than one (1) hour. Three (3) consecutive weeks of vacation may only be allowed if the Department Head/Select Board grants an exception in advance of the requested leave period.

Whenever the employment of any person subject to the provisions of this Policy is terminated during the year, the employee, or their estate (if the employee is deceased), shall be paid for the employee's accrued, unused vacation time.

² The vacation accrual rates set forth in this table are based on a full-time employee who actually works forty (40) hours per workweek. Benefits eligible part-time employees who have successfully completed their probationary period shall accrue vacation leave on a pro rata basis.

Sick Leave

Accrual

Sick leave hours can only be used after an eligible employee has actually worked for a period of the thirty (30) day waiting period from the commencement of their employment. Sick leave hours shall accrue on a pro rata basis from the employee's employment date. Benefits-eligible employees shall accrue sick leave at the rate of eight (8) hours each month for full-time employees (pro-rated for eligible part-time employees), not to exceed a total of ninety-six (96) hours per year. A benefits-eligible employee shall not accrue sick leave for any month in which the employee was on leave without pay or absent without pay for a total of more than one (1) day.

All sick days shall be equal to the number of hours an employee works during the employee's regular workday. For example, if an employee's regular workday is six (6) hours, when an employee takes a full sick day, the employee shall be paid for six (6) hours of sick leave for that day. Unused accrued sick leave may be accumulated only up to a total of one hundred fifty (150) days. Sick leave pay must be taken in one (1) or more full-hour increments.

Sick leave will not be advanced before it is accrued. When an employee's required time away from work continues beyond their accrued, unused sick time, the employee must use compensatory or other leave time if it is available. Otherwise, the employee's time off shall be unpaid.

Sick Leave Buy Back

Benefits-eligible employees with five (5) or more years of service who have accumulated more than four hundred (400) unused sick leave hours on June 30th of each year, may "sell back" a maximum of eighty (80) sick leave hours each year at fifty percent (50%) of their regular hourly wage. The employee must advise the designee of the Select Board of their decision to "sell back" up to eighty (80) sick leave hours on or before each July 10th and the request to "sell back" such accumulated, unused sick leave hours must be submitted to the Treasurer by July 31st of that year. To be eligible to "sell back" sick leave hours, however, an employee must retain a minimum of four hundred (400) accrued, unused sick leave hours after selling any sick leave hours back to the Town.

Retirement Buy Out

Benefits-eligible employees who have accrued four hundred (400) sick leave hours or more will be compensated upon retirement up to a maximum of four hundred (400) sick leave hours at twenty-five percent (25%) of their regular hourly wage as of the date of their retirement.

Sick Leave Usage

Sick leave shall be granted, at the discretion of the Department Head, to an employee only under the following conditions:

- (1) when an employee cannot perform their duties because the employee is incapacitated by personal illness or injury;

- (2) when the spouse, child or parent of either the employee or their spouse, or a relative living in the household of an employee, is seriously ill, the employee may utilize sick leave credits up to a maximum of one hundred twenty (120) sick leave hours per calendar year;
- (3) when, through exposure to contagious disease, the presence of the employee would jeopardize the health of others; and/or
- (4) when there is a need to keep a medical or dental appointment which cannot reasonably be scheduled outside of normal working hours.

With the exception of absences from work due to a positive COVID-19 result from a home testing kit, where an employee has been absent from work due to the employee's own illness or injury in excess of four (4) consecutive days, the employee will be required to produce a physician's certificate of their fitness to work, to be submitted to the Department Head and the Town Administrator.

Notification

Notification of absence due to illness must be made to the employee's Department Head at least one (1) hour prior to the beginning of the employee's regular scheduled start time on the day of absence.

Suspected Sick Leave Abuse

Where an employee's Department Head has reason to believe that sick leave is being abused, the Department Head may require satisfactory medical evidence from the employee. This request shall be in writing and shall cite specific reasons for the request. When medical evidence is requested, such a request shall be made as promptly as possible and in no case later than five (5) days from the date of the request. To the extent possible, the employee shall receive prior notice that the Department Head believes the employee is abusing sick leave and that the employee may be required to produce medical evidence for future use of sick leave.

"Satisfactory medical evidence" shall consist of a signed statement by a licensed Physician, Physician's Assistant, Nurse Practitioner, Chiropractor, or Dentist that the employee has personally examined the employee; a statement that the employee was unable to perform their duties due to the specific illness or injury on the days in question; and a prognosis for the employee's return to work.

In cases where the employee is absent due to a family or household illness or injury, "satisfactory medical evidence" shall consist of a signed statement by medical personnel (listed above) indicating that the person in question has been determined to be seriously ill and needing care on the days in question.

A medical statement provided pursuant to this section shall be on the letterhead of the attending medical professional and shall list an address and telephone number. Failure to provide "satisfactory medical evidence" within seven (7) days of its request may result, at the discretion of the Department Head, in denial of sick leave for the period of absence and discipline, up to

and including termination from employment if it is determined that the employee abused sick leave.

Termination of Employment

Upon termination of employment with the Town, all sick leave benefits accumulated or otherwise, shall cease.

Personal Days

All benefits-eligible employees, who have continuously worked for the Town and completed the thirty- (30-) day benefits waiting period, shall be credited, each July 1st, with twenty-four (24) paid personal leave hours to be taken in one- (1-) or more hour increments. During an employee's first year of employment, eight (8) hours of personal leave shall be credited to the employee after every four (4) months of continuous employment; provided, however, on July 1st of the year following the calendar year in which the employee was hired and all subsequent years, the employee shall be credited with twenty-four (24) paid personal leave hours.

Personal leave hours shall be credited on a pro rata basis based on a 40-hour work week and are paid based on the employee's regular work hours. Thus, if an employee's regular workday is six (6) hours, when an employee takes a personal day, the employee shall be paid for six (6) hours of personal leave for that day. Use of personal leave hours must be scheduled with the approval of the Department Head at least two (2) weeks prior to their expected use. Any paid Personal leave not taken by June 30th shall automatically be forfeited by the employee. Likewise, all unused Personal days shall be forfeited when employment terminates for any reason.

Bereavement Leave

In the event of death in the immediate family of a benefits-eligible employee, the employee shall be granted up to forty (40) consecutive hours of leave, or five (5) normally scheduled consecutive shifts not exceeding forty hours, at time of death without loss of pay. For the purposes of bereavement leave, "immediate family" shall include an employee's parent, sibling, spouse, child, sibling-in-law, parent-in-law, grandparents, grandchildren, step-parent, step-child, step-sibling, step-grandparents.

Benefits-eligible employees shall also be granted one (1) day of bereavement leave for the death of extended family members such as an aunt, uncle, cousin, niece, or nephew.

A bereavement leave day shall be based on the employee's regular work hours and shall be granted and used on a pro rata basis. For a single day of bereavement leave, the benefit will reflect the employee's regular work hours for the day.

A department head may at their discretion approve an additional day as bereavement leave in extenuating circumstances (e.g., weather related travel delay).

Commented [BS5]: Edits have been made to this section to reflect my understanding of the Board's recent discussion.

Bereavement leave shall in no way be related to regular vacation time or sick leave. The employee in question shall be responsible for notifying the Department Head of funeral arrangements. Benefits-eligible part-time employees will receive a bereavement benefit in the same proportion that their part-time service bears to full-time service.

Military Leave

General: An employee shall be entitled to leave of absence during the time of actual service in the Armed Forces of the Commonwealth or the United States, or during their annual tour of duty not exceeding ten (10) workdays (i.e., no more than eighty (80) work hours) as a member of a reserve component of the Armed Forces of the United States or the Commonwealth, and shall receive their regular compensation as an employee for the 10-workday (i.e., 80-work hour) period of the leave for training purposes.

Notification: Each employee is responsible for notifying their Department Head of the date they are leaving for military service and provide written proof from military or selective service officials to the Town Administrator indicating date of departure and length of service required.

Effect On and Use of Benefits:

- A. Sick and vacation leave will continue to accrue during the 10-workday (i.e., 80-work hour) period of military leave for training purposes.
- B. The period of any military leave shall be included in employee's time of continuous service.
- C. If military duty exceeds ten (10) workdays (i.e., 80 work hours), an employee may credit all or part of their vacation entitlement to the period of military leave.

Difference in Pay, if Any, During Active-Duty Deployment (Other Than for Training)

In the event an employee is on active duty (other than for training) for any of the following reasons (listed below) and the employee's military pay is less than the employee's regular compensation as a Town employee, the Town shall pay the difference between what the employee receives in military pay and the employee's regular compensation as an employee of the Town:

1. service performed in a uniformed service if the employee was ordered to, or retained on, active duty due to:
 - (i) involuntary active duty by a military retiree;
 - (ii) involuntary active duty in wartime;
 - (iii) retention on active duty while in captive status;
 - (iv) involuntary active duty during a national emergency for up to 24 months;
 - (v) involuntary active duty for an operational mission for up to 270 days;
 - (vi) involuntary retention on active duty of a critical person during time of crisis or other specific conditions;
 - (vii) voluntary or involuntary active duty by retired Coast Guard officer;

- (viii) voluntary or involuntary active duty by retired Coast Guard enlisted member;
 - (ix) involuntary retention of Coast Guard enlisted member on active duty; and
 - (x) involuntary active duty by Coast Guard Reserve member for natural or man-made disasters;
2. service under an order to, or to remain on, active duty (other than for training) because of a war or national emergency declared by the President or Congress, as determined by the Secretary of Labor;
 3. service performed under an order to active duty (other than for training) in support, as determined by the Secretary of Labor (or any person designated by the Secretary of Labor), of an operational mission for which personnel have been ordered to active duty as determined by a proper military authority;
 4. active duty in support, as determined by the Secretary concerned, of a "critical mission or requirement of the uniformed services" in times other than war or national emergency and when no involuntary call up is in effect; and
 5. federal service by members of the National Guard called into action to respond to an invasion or danger of invasion, rebellion or danger of rebellion, insurrection, or the inability of the President with regular forces to execute the laws of the United States.

Court Service (Jury Duty)

An employee who shall be required to serve on a jury on days the employee is scheduled to work, in accordance with Chapter 234A of the Massachusetts General Laws, shall be paid their base wages for the first three days from work, or a part thereof, of such juror service, at their base hourly rate of pay. For the fourth and subsequent days of such juror service, the employee shall be paid the difference between the amount received as juror compensation, less any juror travel allowance, and the employee's base wages.

Any employee required to serve on any federal jury on days the employee is scheduled to work shall be paid the difference between the amount paid for juror service, less any juror travel allowance, and the employee's base rate.

An employee seeking compensation in accordance with this section shall notify their Department Head after receipt of the notice of selection for jury duty and shall furnish a written statement to the Town showing dates of juror service, time served, and amount of juror compensation received.

Parental Leave

Introduction

In accordance with Massachusetts General Laws Chapter 149 Section 105D, full-time employees³ of the Town of Erving (the “Town”) who meet the eligibility requirements as provided below, will be entitled to Parental Leave for the birth, adoption ~~of~~, or placement ~~for foster care~~ of a child under the age of 18, or under the age of 23 if the child is mentally or physically disabled, for adoption with the employee who is adopting or intending to adopt the child, with the intention of adoption.

Employee Eligibility

To be eligible for Parental Leave, employees must have been employed full-time by the Town for at least three (3) consecutive months.

Leave Entitlement

An eligible employee will be granted an unpaid leave of absence of up to eight (8) weeks for the birth of a child or placement of a child under the age of 18, (or under the age of 23 if the child is mentally or physically disabled) where the employee adopts or intends to adopt the child.

If two employees who work for the Town apply for such leave for the birth or adoption of the same child, each employee shall be entitled to eight (8) weeks of parental leave.

Family and Medical Leave (FMLA)

An eligible employee may take Parental Leave under this policy, even if the employee is not eligible for FMLA leave or has exhausted their entitlement to FMLA leave. If, however, an employee is also eligible for FMLA leave, leave taken under this policy will run concurrently with an employee’s Family and Medical Leave.

Please note that, under the FMLA and its regulations, employees may take FMLA leave for the birth and care of their newborn child, or for placement with the employee of a child for adoption or foster care. As well, unlike the Massachusetts Parental Leave Act, M.G.L. c. 149, Section 105D, which only applies to full-time employees who have been employed by the Town for at least three (3) consecutive months, to be eligible for leave under the FMLA, an employee must have been employed by the Town for at least 12 months and must have worked at least 1,250 hours over the past 12 months.

Use of Paid Leave

³ For purposes of this policy, an employee who is scheduled to work at least 40 hours per week is deemed to be a “full-time” employee.

Although Parental Leave is unpaid, an employee may voluntarily elect to use paid leave (vacation, and personal leave, and paid sick leave in instances where the provisions of sick leave apply). Any such use of paid leave will be in accordance with the Town's leave policies.⁴

Maintenance of Health Benefits

The Town will maintain group health insurance coverage for an employee while on Parental Leave whenever such insurance was provided before the leave was taken and on the same terms as if the employee had continued to work, as long as the employee is able to pay their required share of the cost on a monthly basis. The employee will be responsible for making arrangements with the Town to pay their share of health insurance premiums while on leave. Continued coverage is subject to timely premium payments.

Benefit Continuation

The use of Parental Leave will not affect the employee's rights to receive vacation time, sick leave, bonuses, advancement, seniority, length of service credit, benefits, plans or programs and other benefits for which the employee was eligible as of the date of the leave or any other advantages or rights of employment incidental to the employment position; provided, however that the period of time of any unpaid Parental Leave, is not included in the computation of further benefit accruals, rights and advantages.

Notice Requirements

Employees are required to provide at least two (2) weeks' notice to the employer of the employee's anticipated date of departure and the employee's intended day of return, provided, however, an employee may provide notice "as soon as practicable" if the delay in providing notice is "for reasons beyond the individual's control."

Job Restoration

Upon return from Parental Leave, every effort will be made to restore an employee to their original job. If that is not possible, to an equivalent job with equivalent pay and other employment terms and conditions, unless other employees of equal length of service, status and in similar positions have been laid off due to a legitimate reduction in work force. The employee on paternity leave shall, however, retain any preferential consideration for another position to which they may be entitled as of the date of their leave, to the extent that the Town has such a policy. An employee's use of Parental Leave will not result in the loss of an employment benefit that the employee earned or was entitled to before using Parental Leave.

Leave of absence beyond eight (8) weeks

If an employee on Parental Leave is not subject to FMLA the employee may request additional unpaid leave for parenting by petitioning the Appointing Authority. The employee shall be eligible for the rights under Section I above, unless the Appointing Authority notifies the

⁴ In accordance with the Massachusetts Parental Leave Act, employees cannot be required to use accrued paid vacation leave, personal leave, or accrued sick leave with all or part of the employee's parental leave, even if the employer requires employees who take leave for other types of reasons to use such paid leave benefits.

employee in writing prior to the parental leave and again prior to the extension of that leave, that taking longer than eight (8) weeks of parental leave may result in a denial of reinstatement or loss of other rights and benefits.

Departmental Procedures

The Town Administrator may establish procedures to implement and carry out this policy, consistent with the policy.

Small Necessities Leave Act (SNLA) Policy

The Town of Erving will comply with the provisions of the Massachusetts Small Necessities Leave Act (SNLA), which permits eligible employees to take up to a total of 24 hours of unpaid leave within a rolling 12-month period.

The SNLA covers only employees who have been employed by the Town for one (1) year and have worked at least 1,250 hours during the previous 12 months. Leave under the SNLA is in addition to leave which may be available to an employee under the federal Family and Medical Leave Act of 1993.

The SNLA permits an employee leave for the following purposes:

- (1) To participate in school activities directly related to the educational advancement of a child, step-child or grandchild of the employee, such as a parent-teacher conference or interviewing for a new school;
- (2) To accompany a child, step-child or grandchild of the employee to routine medical or dental appointments, such as check-ups or vaccinations; and
- (3) To accompany a spouse, legal dependent or an elderly relative of the employee to routine medical or dental appointments or appointments for other professional services relating to the spouse's, legal dependent's or elder's care, such as interviewing at nursing or group homes.

The 24 hours may be taken within the 12-month calendar year period and the time may be taken on an intermittent (i.e. 2 hours to attend a parent-teacher conference) or reduced-time schedule.

An employee is required to provide their department with seven (7) days' notice of the need for the leave if the leave is foreseeable. If the necessity for the leave is not foreseeable, the employee is required to provide notice of the leave as soon as practicable.

The law provides for unpaid leave. An employee may elect to use any available accrued vacation, personal or sick leave benefits provided the use of such time is in accordance with the Town's leave policies.

Erving may require the employee to substitute any of the employee's paid vacation leave, personal leave or sick leave for the leave provided by the SNLA. A department head may require that written certification or documentation support a request for leave under the SNLA.

Training, Education and Conferences (Professional Development)

The Town of Erving endeavors to promote both individual and institutional training programs. Upon successful completion of the introductory period, employees may request to participate in work-related educational training. These requests must be approved by the employee's immediate supervisor prior to attendance at any such training sessions. The Town of Erving may reimburse reasonable costs of such training if fiscally feasible and prior written approval is received.

DRAFT

APPENDIX A- ADMINISTRATIVE POLICIES

The following administrative policies are also part of the Town’s administration of personnel benefits, leaves, and expectations. They are available upon request, by visiting www.erving-ma.gov/personnel. This Appendix may be amended from time to time by the Town Administrator to reflect changes that have been adopted.

Administrative Policies

Policy Number	Policy Name	Last Revision Date
ADM-001	Americans with Disabilities Act Non-Discrimination Notice & Grievance Policy	August 29, 2022
ADM-020	Criminal & Sexual Offender Records Information Policy	August 29, 2022
ADM-021	Health Insurance Portability & Accountability Act Policy	August 29, 2022
ADM-100	Workplace Violence Prevention Policy	November 28, 2022
ADM-101	Sexual Harassment Prevention Policy	July 18, 2022
ADM-102	Protected Class Harassment Prevention Policy	July 18, 2022
ADM-110	Drug & Alcohol-Free Workplace Policy	August 29, 2022
ADM-111	No-Smoking Policy	October 31, 2022
ADM-120	Fraud Prevention Policy	November 28, 2022
ADM-130	Whistleblower Protection Policy	November 28, 2022
ADM-150	Pregnant Workers Fairness Act Policy	November 28, 2022
ADM-160	Clothing Allowance Policy	December 05, 2022
ADM-180	Domestic Violence Leave Policy	November 28, 2022
ADM-181	Family and Medical Leave Policy	January 09, 2023
ADM-195	Remote Work Policy	February 27, 2023
ADM-201	Consolidated Omnibus Budget Reconciliation Act (COBRA) Policy	October 3, 2022
ADM-202	Retirement Plan Participation & Insurance Policy	August 29, 2022

APPENDIX B- PAY PLANS

To be inserted

APPENDIX C- BENEFIT PROVIDERS & CONTACTS

This Appendix may be amended from time to time by the Treasurer to reflect the current information related to benefit providers.

Health Insurance:

Blue Cross Blue Shield – 1(800)-486-1136
<https://www.bluecrossma.org/>

Hampshire County Group Trust – 1(413)-584-1300
<https://hcgut.org/>

Dental Insurance:

Delta Dental- 1(800) 872-0500
<https://www.deltadentalma.com>

Life Insurance, Optional Life Insurance, Long Term Disability Insurance:

Boston Mutual – 1(877)-624-2249 Customer Service
1(877)-212-2950 Claims Service
<https://www.bostonmutual.com/>

Other Optional Insurances:

Colonial Life – 1(800)-325-4368 Customer Service
1(800)-880-9325 Claims Service Fax
<https://www.coloniallife.com/>

Employee Assistance Program (EAP):

AllOne Health Employee Assistance Program - 1- (800) 451-1834
Services available 24 hours/ 7 days per week.
<https://myassistanceprogram.com/miia-eap/>

Flexible Spending Account:

Ameriflex – 1(888)-868-3539
<https://myameriflex.com/>

Short Term Disability & Cancer Insurance:

American Heritage Life Insurance/Allstate –
1(800)-521-3535 Customer/Claims Service
<https://www.allstate.com/allstate-benefits/main.aspx>

Franklin Regional Retirement System

1(413)-774-4837
<https://frsma.com/>

Massachusetts Teachers Retirement System:

1(617)-679-6877

<https://mtrs.state.ma.us/>

Nationwide Retirement (OBRA & Deferred Compensation):

1(877)-496-1630

<https://www.nrsforu.com/iApp/rsc/login.x>

403(b) (School Employees)

AIG Retirement Service (VALIC) 1(800)-448-2542

Equitable 1(800)-628-6673

<https://www.tsacg.com/individual/plan-sponsor/massachusetts/town-of-erving/>

ACKNOWLEDGEMENT OF RECEIPT AND UNDERSTANDING

I am in receipt of Erving's Personnel Policies and Procedures Manual. I received the Manual on _____(date). The enclosed policies were explained to me and I had an opportunity to review and read the policies.

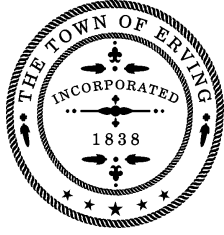
I understand it is my responsibility to be familiar with and adhere to the provisions of these policies.

EMPLOYEE PRINTED NAME

EMPLOYEE SIGNATURE

DATE

Note: A copy of this acknowledgement form will be placed in the employee's personnel file.



TOWN OF ERVING

SELECT BOARD

12 East Main Street
ERVING, MASSACHUSETTS 01344

Tel. 413-422-2800
Fax 413-422-2808
Email: administrator@erving-ma.gov

Jacob A. Smith, Chair
Scott Bastarache
James Loynd
Select Board

Bryan Smith
Town Administrator

January 20, 2024

To: Select Board
From: Bryan Smith, Town Administrator
CC: Robert Holst, Chief of Police

RE: Non-unit Police Department Staff Compensation

As we work to complete the compensation plan review of Town employees, I would as the Select Board to address the compensation schedule for non-unit Police Department employees. This category of employees includes:

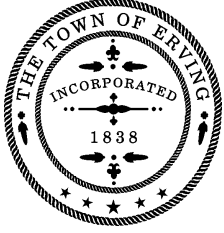
- Animal Officer (Grade NP1)
- Cadet (Grade NP1)
- Patrol Officer (part-time, not regularly scheduled) (Grade NP2)

I have modified the compensation schedule in a similar manner to what was done with other non-unit personnel. The base table was adjusted by 4% and the step increase was adjusted from 2% to 3%. The number of steps was reduce from 15 to 10. I propose the following compensation schedule for the listed positions:

FY 2024

GRADE	NP1	NP2
Step 1 (6)	\$17.92	\$26.27
Step 2 (7)	\$18.46	\$27.06
Step 3 (8)	\$19.01	\$27.87
Step 4 (9)	\$19.58	\$28.71
Step 5 (10)	\$20.17	\$29.57
Step 6 (11)	\$20.77	\$30.45
Step 7 (12)	\$21.40	\$31.37
Step 8 (13)	\$22.04	\$32.31
Step 9 (14)	\$22.70	\$33.28
Step 10 (15)	\$23.38	\$34.28

If the proposed compensation schedule is amenable, I would ask the Select Board to adopt the table and issue an effective date so that I may work with the employees, Chief Holst, and the Treasurer to make the necessary adjustments.



TOWN OF ERVING

SELECT BOARD

12 East Main Street
ERVING, MASSACHUSETTS 01344

Tel. 413-422-2800

Fax 413-422-2808

Email: administrator@erving-ma.gov

Jacob A. Smith, Chair
Scott Bastarache
James Loynd
Select Board

Bryan Smith
Town Administrator

February 02, 2024

To: Select Board

From: Bryan Smith, Town Administrator

RE: 2024 “Almost Anything Goes” Residential Bulky Waste Collection

It is time to prepare for the annual residential bulky waste collection program that we refer to as “Almost Anything Goes.” I have had preliminary conversations with Casella to prepare for the collection in May. Attached, please find draft guidance that will be sent to residents. Please let me know if there are any amendments that you would like to make.

One aspect of our annual program that we had to cancel last year was the weekend staffing of a collection for items that could not be collected curbside at Public Works. Without the ability to collect at Public Works we have had to send residents to transfer stations in other communities. The Franklin County Solid Waste Management District has offered to host their “Clean Sweep” event site in Erving this May and October where Erving residents, along with County residents in neighboring towns, could bring their items for disposal for a fee. This option would provide Erving residents with an in-town collection option and our colleagues in the Solid Waste Management District would handle the logistics with the disposal vendors. For more information on the Clean Sweep program, visit: <https://franklincountywastedistrict.org/p/70/Clean-Sweep-Bulky-Waste-Collection>.

If this is a partnership that we would like to explore, it may make sense to revise the Almost Anything Goes flier with this guidance. We would also need to dedicate a spot. A setup like the Senior & Community Center parking lot may work well.

ALMOST ANYTHING GOES

Erving's Annual Bulky-waste Curbside Collection Program

Casella Waste Management will begin collection on

Monday, May 06, 2024
approximately 7:00 AM.

Accepted Items:

- Bulky furniture: couches, futons, chairs, tables, etc.
Note: The metal frame in sleeper sofas must be separated from the rest of the couch
- Scrap metal, such as bicycle frames, empty containers, and posts
- Scrap wood- length and width should not exceed 4' x 4'
- Small appliances, such as vacuum cleaners, toasters, etc.

Important: Items must be sorted into safe, organized piles with metal separate from general refuse.

Items that Cannot be Accepted

- Household trash & loose trash
- Construction debris, such as sheetrock, tile, framing, roofing, concrete, masonry, etc.
Note: If you need a building permit to have conducted the work, this material should have been collected in a dumpster
- Vehicles & parts such as cars, boats, snowmobiles, and parts of these items
- Small engines such as lawn mowers, etc.
- Yard waste such as grass clippings, branches, stumps
- Tires
- Televisions & white good appliances, such as refrigerators, freezers, stoves, dishwashers, etc.
- Mattresses & box springs
- Hazardous materials of any kind

Q: What can and cannot be collected through the Almost Anything Goes program?

A: The list above is a general guide of what can and what will not be accepted curbside for collection. If residents have specific questions about what is acceptable, please call (413) 422-2800 ext. 1101.

For more information, please visit:

<https://www.erving-ma.gov/public-works/pages/almost-anything-goes-information>

ALMOST ANYTHING GOES

Erving's Annual Bulky-waste Curbside Collection Program

Program Description: The program is only for residential bulky waste items that cannot otherwise be collected with household trash or that can be disposed of at the Highway Department. Items must originate from households in Erving. The collection will begin on the Erving-side of town and move eastwardly until complete.



Program Goals: The Town of Erving provides this service to the residents to achieve the following goals:

- Reduce illegal dumping
- Improve the health and safety of residents

Additional Frequently Asked Questions

Q: When can I begin placing items curbside for collection?

A: You may place items curbside for collection starting on **Saturday, April 27, 2024**, only. Items placed out earlier will be considered illegal dumping.

Q: Where exactly can I place my items for collection?

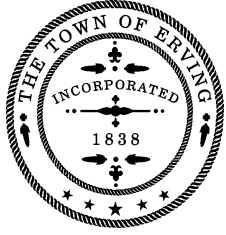
A: Items must be placed curbside on your property for collection. Items cannot be placed on the street, sidewalk, or blocking a fire hydrant. **Important:** Items must be sorted into safe, organized piles with metal separate from general refuse. Please remember that these materials must be picked up by someone by hand.

Q: I missed the 1st day of collection, and my street has been collected, will they come back if I put my items out now?

A: Unfortunately, no, once the collection team has passed your house they cannot return for collection.

Q: What do I do if someone has placed items on my curbside that are not mine?

A: Items left by someone other than the homeowner will be considered illegal dumping and will result in a fine of up to \$3,000.00. If you believe that illegal dumping has occurred, please call the Erving Police Department at (413) 423-3310.



TOWN OF ERVING

SELECT BOARD

12 East Main Street
ERVING, MASSACHUSETTS 01344

Tel. 413-422-2800
Fax 413-422-2808
Email: administrator@erving-ma.gov

Jacob A. Smith, Chair
Scott Bastarache
James Loynd
Select Board

Bryan Smith
Town Administrator

February 2, 2024

To: Select Board

From: Bryan Smith, Town Administrator

CC: Elizabeth Sicard, Administrative Assistant

RE: Historical Commission Appointment and Letter of Interest

The Historical Commission is a seven (7) member board with staggered three (3) year terms. The Historical Commission currently has two (2) vacancies. The notice that the Town was seeking volunteers to serve on the Historical Commission was shared in the Around Town Newsletter September, October, and November 2023 edition as well as the January 31, 2024 Special Town Meeting warrant. As of February 2, 2024, I have received one (1) letter of interest from resident Kelly Loynd. The letter is enclosed for your review.

The recommended vote language below provides for staggered three-year terms that align with our annual appointment schedule.

Recommended vote language:

A motion to appoint Kelly Loynd as a member of the Conservation Commission, effective February 5, 2024, with a term ending June 30, 2026.

From: [Kelly](#)
To: [Volunteer in Erving!](#)
Subject: [EXTERNAL]Historical Commission
Date: Monday, January 22, 2024 2:36:14 PM

CAUTION: This email originated from outside of the Town of Erving. Do not click links or open attachments unless you recognize the sender and know the content is safe. When in doubt, please contact the Erving IT Department

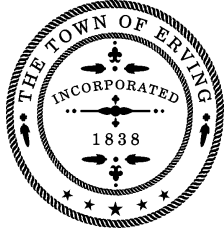
Bryan,

As mentioned in the past, this is my official letter stating that I am interested in joining the Historical Commission.

Sincerely,

Kelly Loynd

Sent from my iPhone



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Email: administrator@erving-ma.gov

Jacob A. Smith, Chair
Scott Bastarache
James Loynd
Select Board

Bryan Smith
Town Administrator

February 02, 2024

To: Select Board

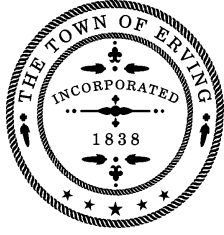
From: Bryan Smith, Town Administrator

RE: Town Planner Position Preliminary Screening Committee

In preparation for the Town Planner position search, I respectfully request the establishment of a preliminary screening committee. Typically, a committee of five (5) members is used. I would recommend a format that includes:

- 1- Select Board Member
- 1- Town Administrator
- 1- Department Head
- 2- Community members

I am tentatively looking for the Committee to begin meeting in the final week of February as I have set a preferred application date of February 22, 2024.



TOWN OF ERVING

SELECT BOARD

12 East Main Street
ERVING, MASSACHUSETTS 01344

Tel. 413-422-2800
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Jacob A. Smith, Chair
Scott Bastarache
James Loynd
Select Board

Bryan Smith
Town Administrator

February 02, 2024

To: Select Board

From: Bryan Smith, Town Administrator

RE: Care Drive Senior Housing Development

Over the last month, the Senior Housing Committee has met with project representatives from Rural Development, Inc. to discuss revisions to the proposed site layouts that would include parcel divisions and an alteration to the layout of Care Drive. The attached proposal, dated January 19, 2024, reflects feedback from the Senior Housing Committee as well as our Fire Department, Police Department, Highway Department and Wastewater Department. The revised site plan proposes to shift the development back from the road layout and the Senior Center parking lot to create more separation and green spaces. Parking adjustments also have been made to allow for fire lanes and less congestion. The revised site proposal still requests 2 parcels of approximately 2 acres each which is less land than the Town originally offered for this project and preserves more land for the Town to retain. Page 2 of the site layouts provides approximate lot lines and road dimensions for consideration.

I also have obtained a professional surveyor's proposal for preparing a subdivision of land as well as a public road layout with written descriptions and monuments. The proposal has been included for your review.

Prepared by:

Rural Development, Inc
241 Millers Falls Road,
Turners Falls, MA 01376

(413)863-9781

Executive Director:
Gina Govoni

Project Manager:
Alyssa Larose

Project Coordinator:
Jen Hale

Architects:
Tom Chalmers, AIA
Patrick Kitzmiller
Austin Design Cooperative
Battleboro, VT

Development Consultant:
Christine Rogers

Care Drive Housing

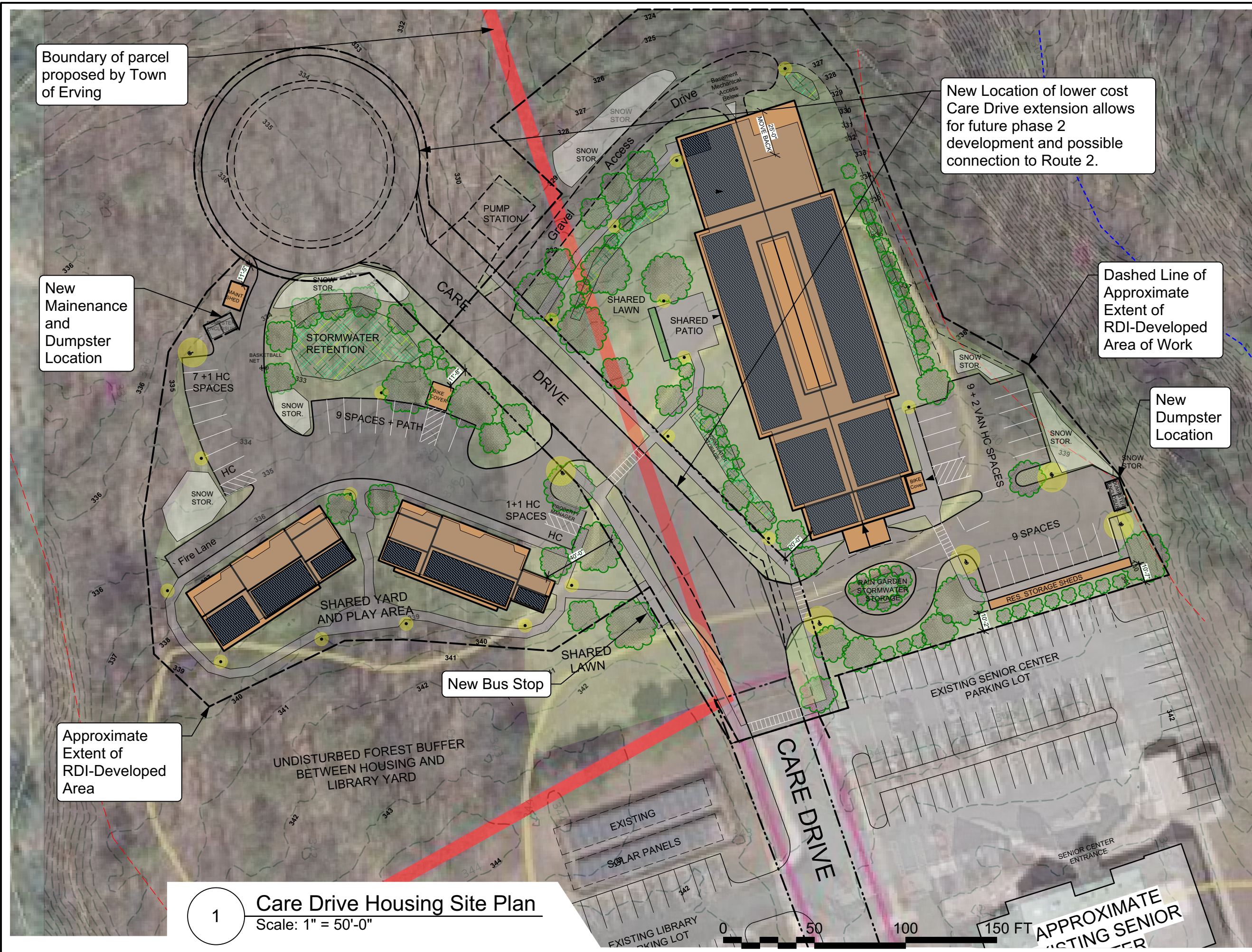
Town of Erving, MA

Date: Jan 19, 2024

Site Plan



0-0.1



Boundary of parcel proposed by Town of Erving

New Location of lower cost Care Drive extension allows for future phase 2 development and possible connection to Route 2.

New Maintenance and Dumpster Location

Dashed Line of Approximate Extent of RDI-Developed Area of Work

New Dumpster Location

New Bus Stop

Approximate Extent of RDI-Developed Area

1 Care Drive Housing Site Plan
Scale: 1" = 50'-0"

Edward C. Muszynski, PLS

*Professional Land Surveyor
185 Old Albany Rd.
Greenfield MA 01301*

Tel. (413) 774-5990

Cell (413) 219-5458

email – edwardm.pls@gmail.com

To: Select Board
Town of Erving
c/o Bryan Smith Town Administrator

January 15, 2024

re: Surveying Proposal Care Drive Housing Project Town of Erving

At the request of Town Administrator Bryan Smith, I have prepared a proposal for surveying services to alter the layout of Care Drive and to prepare ANR Plan to divide the town property on Care Drive into lots as required for the project.

Please review the following and let me know if you would accept my proposal. I would start on the project as soon as I receive an acceptance letter and should have a preliminary plan for review in about two weeks.

1. Alteration Plan of Care Drive per preliminary plan provided Rural Development, Inc. Includes monumenting the corners with concrete bounds and removing discontinued bound corners.

My fee for this service would be \$8000. Plus \$100/bound provided.

2. ANR Plan to establish lots as required for the Housing Project. This would take place after the Care Drive Alteration is laid out and accepted by the town meeting. Includes monumenting the corners with iron pins.

My fee for this service would be \$2000.

Thanks for your interested in my services.

Respectfully,

Surplus Property Disposition Request

Department/Board/Committee <u>Community Planning</u>	Request Date: <u>1/9/23</u>
Item(s) to be disposed of: <u>office chair</u>	
Estimated Value of Item: <u>\$0</u>	
Description of Item: See attached fixed asset sheet with item descriptions; including make, model, and serial #	
Reason for Request: <u>I acquired a new office chair + this one is old + no longer needed</u>	
Recommended Disposition: <u>offered for free to residents or trash</u>	

Department Head Signature _____

Date _____


Select Board Review

Board Decision:	Approved <input type="checkbox"/> Denied <input type="checkbox"/>
Board Comments:	
Select Board Signatory	Date

Chief Procurement Officer

Method of Disposition:	Under \$10,000	\$10,000 or More
<input type="checkbox"/>	Advertise Newspaper	<input type="checkbox"/> Sealed Bids
<input type="checkbox"/>	Advertise on Website	<input type="checkbox"/> Public Auction
<input type="checkbox"/>	Seek Bids	<input type="checkbox"/> Advertise on Website
<input type="checkbox"/>	Scrap Value	<input type="checkbox"/> Governmental/ Charitable Entity
Date(s) advertised: _____	Other info: _____	
Sold to: _____	\$ Sold for: _____	
Date disposed of: _____	Receipt attached: _____	
Chief Procurement Officer Signature		Date

Surplus Property Disposition Request

Department/Board/Committee	Recreation Commission	Request Date:	12/11/23
Item(s) to be disposed of:	TENT		
Estimated Value of Item:	0		
Description of Item:	See attached fixed asset sheet with item descriptions; including make, model, and serial #		
Reason for Request:	TENT IS OLD, TOOK AND IN DISREPAIR		
Recommended Disposition:	Disposal		
		12/11/23	
Department Head Signature		Date	

Select Board Review

Board Decision:	Approved <input type="checkbox"/> Denied <input type="checkbox"/>
Board Comments:	
Select Board Signatory	Date

Chief Procurement Officer

Method of Disposition:	Under \$10,000	\$10,000 or More
<input type="checkbox"/>	Advertise Newspaper	<input type="checkbox"/> Sealed Bids
<input type="checkbox"/>	Advertise on Website	<input type="checkbox"/> Public Auction
<input type="checkbox"/>	Seek Bids	<input type="checkbox"/> Advertise on Website
<input type="checkbox"/>	Scrap Value	<input type="checkbox"/> Governmental/ Charitable Entity
Date(s) advertised: _____	Other info: _____	
Sold to: _____	\$ Sold for: _____	
Date disposed of: _____	Receipt attached: _____	
Chief Procurement Officer Signature		Date