

Town of Oak Bluffs Personnel Bylaws

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INTRODUCTION

Section 1. Statement of Purpose

The Personnel Board with the authority of the registered voters assembled in Town Meeting, and conforming to the General Laws of the Commonwealth and the government of the Town of Oak Bluffs, stands charged to enhance the common welfare and the security of every employee covered by these By Laws.

All staff personnel, whether appointed, contracted or elected, together with the members of boards, committees and commissions, shall foster the same principle of shared responsibility, coordinated effort, mutual trust and corporate accountability in pursuit of the Town's goal.

Section 2. The Reason for the By Laws

Purpose	2.1
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2.1. The Personnel By Laws provide for orderly personnel administration among employees in the service of the Town who are not covered by bargaining units. The By Laws set the basic guidelines for other Personnel procedures, as set forth in the rules and regulations of the Board.

2.2. According to MGL Chapter 40, Section 21, employees of the Town are fully subject to this By Law and to the authority of the Personnel Board, except those employees covered by bargaining units, those appointed by the School Committee, elected officials and those employees covered by professional service contracts. Exempt employees covered by professional services contracts may utilize Section 10 (Grievance Procedure).

2.3. Authorization for the provisions of this By-law, and for the operation of the Personnel Board, is Chapter 41, Section 108C of the Massachusetts General Law (MGL), together with any other state legislation which mandates municipal personnel administration. State laws and regulations always take precedence and prevail over Town By Laws however they may be written.

Section 3. Equal Opportunity Policy

The Town of Oak Bluffs is an equal opportunity employer and as such supports the objectives of equal opportunity in all phases of personnel action without regard to race, color, creed, gender, sexual orientation, national origin, disability, and/or age. The Town adheres to all of the requirements of federal and state legislation and of executive orders that prohibit discrimination.

Section 4. Personnel Board

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4.1. Composition

4.1.1. Members - There shall be a Personnel Board of five (5) members who serve, without compensation, for terms of three years or to complete a three year term. No member shall be a regular full time employee of the Town.

4.1.2. Appointing Authorities - In order to ensure unique independence and jurisdiction, the Board members shall be appointed by different appointing authorities. Two (2) members shall be appointed by the Selectmen, one (1) by the Moderator and two (2) by the Finance and Advisory Committee.

4.1.3. Term - Terms will begin on July 1 of the appointing year, are for three years, and are staggered in three year cycles. The terms of the two additional members of the Board added by the amendment to this by-law voted at the Special Town Meeting on December 11, 2007 (one to be appointed by the Selectmen and one to be appointed by the Finance and Advisory Committee) shall begin immediately upon the Town's adoption of this amendment and their respective appointments, and shall continue through June 30, 2010.

4.1.4. Additional Terms - Members may serve additional terms if they submit a formal application to, and are duly re-appointed by their respective appointing authority. The Town Administrator will remind appointing authorities of the names of their respective appointees, their expiration date(s) and whether they choose to be appointed for another term.

4.2. Authority

4.2.1. The Board is vested with all the powers and duties specified in Massachusetts General law. Chapter 41, Section 108C. Additionally, the Board shall act in an advisory capacity to the Selectmen and Town Administrator with respect to those employees covered by union and professional services contracts.

4.2.2. The Board is vested with the authority to make the necessary rules and regulations for the administration of the classification and compensation plans, grievance procedures and other personnel functions assigned by Town Meeting vote.

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4.2.3 Modifications of this By Law must be approved by vote of the next Town Meeting following the modification to become incorporated into this By Law.

4.3 Organization

4.3.1. The Board shall organize every May and elect a Chair and Vice Chair who will assume immediate responsibility.

4.3.2 On all Board actions, every member is required by statute to register a vote or to formally abstain. A quorum of at least three (3) members constitutes a meeting; in the event of a tie vote, the motion shall be defeated per Robert's Rules of Order.

4.3.3. The Town Administrator is responsible for the implementation of the Board's votes, as the Board may direct. The Chair does not represent the Board in any way without the Board's explicit direction.

4.3.4. The Chair, at his or her discretion, is responsible for sharing with the Board all formal and informal communications received and sent.

4.3.5. Between meetings, the Chair may call a special meeting when a matter arises that requires immediate action. A majority of the Board may require the Chair to call a special meeting.

4.3.6. If a Personnel Board member is absent from 3 consecutive regular meetings without notice, the Chair may consider the post to be vacant and proceed to fill the position in accordance with 4.1.2.

4.3.7. The Board shall submit an annual report to the Selectmen, the Finance Committee and the Moderator for presentation to the Annual Town Meeting.

Section 5. Definitions

Structure	5.1.
Classification	5.2.
Compensation	5.3.
Administration	5.4.
Periods of Employment	5.5.
Probation Period	5.6.

5.1 Structure

5.1.1. Board - The Personnel Board as described in Section 4.

5.1.2. Employer - The Town of Oak Bluffs/also Town.

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5.1.3. Town Meeting - an assembly of registered voters, the highest authority of local government.

5.1.4. By Law- an abbreviation for "a law enacted by vote of the town meeting."

5.2 Classification

5.2.1. Position - an office or job in the service of the Town with certain responsibilities and duties requiring the full-time, part-time or seasonal employment of one person.

5.2.2. Class - A group of positions with sufficiently similar responsibilities so that

1. All may be designated by one title,
2. The same qualifications may be required of all incumbents,
3. The same tests of fitness to perform may be used
4. The same scale of compensation may be applied.

5.2.3. Group – An occupational class of employees

5.2.4. Classification Plan. - Class titles listed in Schedule A.

5.3 Compensation

5.3.1. Compensation Plan - Pay rates for full-time, part-time, seasonal, casual and temporary positions, both hourly and salaried, prepared by the Board and approved by the Selectmen and/or approved by Town Meeting vote.

5.3.2. Compensation Schedules - Charts which summarize the compensation plan.

5.3.3. Exempt - The payroll status of employees who are not eligible for the time-and-a-half pay for hours worked over forty in a work week. The categories of exemption are set out in detail under the Fair Labor Standards Act, its regulations and state law.

5.3.4. Pay Grade - A range of salary and wage rates, from a hiring rate to a maximum rate.

5.3.5. Rate - A sum of money designated as compensation for work performed for a specific period.

5.3.6. Increment - The monetary difference between steps in a given range.

5.3.8. Minimum Rate - The lowest rate in a pay range, at which an employee is normally hired and also known as the starting rate unless another rate has been specifically authorized.

5.3.9. Maximum Rate - The highest rate in a pay range.

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5.3.10. Range – the monetary difference between the minimum and the maximum amounts in a pay grade

5.3.11. Anniversary Date – The date an employee was originally hired. Except for a break in service, the anniversary date does not change under any circumstances. Where someone has left employment with the Town and is subsequently rehired, the anniversary date is the date of rehire.

5.3.12. Review Date - The date when an employee's work performance is evaluated. The first review shall be conducted six months after hire. Subsequent reviews shall be conducted yearly thereafter.

5.3.13. Lateral Transfer- A move by an employee from a position in one grade/classification to another position at the same grade/classification within the same department, or to another department.

5.3.14. Promotion - A move from one grade/classification to a higher grade/classification.

5.4. Administration

5.4.1. Department - Any functional unit, including boards, committees, commissions, or other operating agencies of the Town which is subject to this By-Law.

5.4.2. Department Head - The individual responsible for management of a department.

5.4.3. Employer - Town of Oak Bluffs.

5.4.4. Appointing Authority - The elected office or board of the Town vested with hiring authority.

5.4.5. Supervisor -the individual so named by a department who may direct employees under his or her supervision.

5.4.6. Supervisory authority may include the responsibility for appointments and dismissals and for training employees within their supervision.

5.4.7. Administrator - may hold a management position, including responsibility for day to day direction of a department, but may not necessarily supervise other employees.

5.4.8. The Town Administrator is the chief executive officer, accountable to the Board of Selectmen as outlined in M. G. L. Chapter 41 Section 108N and Town By Law.

5.5. Periods of Employment

5.5.1. Full-time Employment - A regular work schedule of thirty-five or forty hours per week over a full year, except for authorized leaves.

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5.5.2. Part-time Employment - A regular schedule less than thirty-five hours a week.

5.5.3. Continuous Employment – Full time or part-time employment without interruption except for authorized leaves.

5.5.4. Seasonal Position – A position which requires the employment of one or more employees hired for a recognized period.

5.6 Probation Period

5.6.1 All newly appointed and promoted employees shall be required to successfully complete a probationary period to begin immediately upon the employee’s starting date or promotion date and to continue for a six (6) month period. The probationary period shall be used by the appointing authority and department head to observe and evaluate the employee’s attitude, conduct and work habits.

5.6.2 Upon expiration of the probationary period the appointing authority shall notify the probationary employee in writing that:

- (a) The employee’s performance meets satisfactory standards and the individual will be retained in the position.
- (b) The employee’s performance due to extenuating circumstances, require additional observation and that the probationary period will be extended an additional period of time not too exceed three (3) months, the employee will be informed of the reasons for the extension.
- (c) The employee’s performance, attitude, conduct was unsatisfactory and termination will occur.

5.6.3. The employee at any time during the probationary period may be removed by an appointing authority if it is revealed that the employee intentionally falsified information relating to the application for employment, was unable or unwilling to perform the required duties, or displays conduct, habits or dependability which did not merit continuing the employee in the position. The employee shall be notified in writing of the reasons for the termination and the effective date of the action. The employee may not appeal the termination.

Section 6. Classification Plan

Description	6.1
New Positions	6.2

6.1 Description of Classification Plan

6.1.1. The group and classes which appear in Schedule A of the Addenda to this By Law are collectively designated as the Classification Plan.

6.1.2. Positions in the service of the Town, except those which are excluded in Section 2.2, are covered by this By Law and are classified by the titles listed on Schedule A.

6.1.3. The Classification Plan may be amended by an Annual or Special Town Meeting.

6.1.4. The Class titles in the Plan are grouped according to the departments to which they are assigned, and designated with reference to the compensation grade to which each is allocated.

6.1.5. Wage schedules are updated each fiscal year following approval by Town Meeting of any changes.

6.1.6. The Classification Plan may be amended by an Annual or a Special Town Meeting.

6.2 New Positions

6.2.1. Subject to available department funds, a department may request that a new position become effective immediately. The Personnel Board may provisionally approve the position subject to the department's budget and pending voter approval at the next Town Meeting. All such positions must be matched to an appropriate grade and notice of provisional status shall be given to the affected employee and department head.

6.2.2. If the duties of a previously authorized position are changed, the new position may be assigned a new classification and placed within the grade/pay range for that classification only upon request by the department and approval of the Personnel Board, and contingent upon the availability of department funds.

Section 7. Compensation Plan

7.1 Pay

7.2 Evaluations

7.3 New Hires

7.1. Pay

7.1.1. The term "compensation", as used in this By Law,

7.2 Performance Evaluations

7.2.1. All regular employees covered by these By Laws must have an annual performance evaluation 30 days prior to their evaluation review date.

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7.2.2. Performance evaluations are conducted by the department head or his or her designee.

7.2.3. Step increases shall be based on available funds, merit and performance evaluations. Denial of a merit increase shall be subject to the grievance procedure.

7.3 New Hires

7.3.1. The Personnel Board may authorize a hiring rate within a particular grade range for that position when supported by written evidence of exceptional circumstances and subject to the availability of funds within the department.

7.3.2. Probationary employees accrue vacation time, and sick leave which cannot be taken until after the 90 day probationary period. Vacation entitlement shall be effective after one year of continuous service.

CONDITIONS OF EMPLOYMENT

Section 8. Hiring Procedure

Procedure	8.1.
Advertising	8.2.
Interview	8.3.
Physical	8.4.

8.1. Procedure

8.1.1. The hiring of new employees is the responsibility of the department head of a department in which vacancy has occurred, subject to the approval of the Selectmen and Town Administrator. No new hires shall work unless and until all approvals occur and all paperwork has been completed.

8.1.2. The Town Administrator shall assist with job descriptions, advertising, preliminary selection of applicants, interviewing, input on the final selection, and orientation of the new hire.

8.2. Advertising

8.2.1. The Town Administrator shall post all vacancies for positions in the Town Hall and outlying bulletin boards and may advertise in a local paper for two weeks prior to the position interview. Copies shall be filed in the Personnel Office and with the Town Clerk before they are posted or submitted to the newspaper.

8.2.2. Advertisements include: The area of work (department), the position offered, qualifications, term of employment, hours per week, salary range, where to obtain and

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deliver applications, and the closing date for applications. The Town of Oak Bluffs is always identified as an equal opportunity employer.

Note: Due to the specialized nature of public safety (Chapter 48 Section 42 of M.G. L. Strong Chief Law) The Oak Bluffs Police and Fire Departments have their own procedures for filling vacancies.

8.3 Physical Examination

8.3.1. The Town of Oak Bluffs may require any job applicant or employee to undergo a physical-examination including drug screening as a condition of employment.

8.3.2. The examining physician shall certify whether the applicant or employee is qualified to perform the essential functions of that position with or without reasonable accommodation and without significant risk to him or her or others.

Section 9. Work Week

9.1 Regular Work Week

9.1.1. Except where otherwise indicated the normal work week shall be 35 or 40 hours a week Monday through Friday.

9.1.2. Non-exempt employees shall be compensated at time and one half their regular hourly rate of pay for any hours worked over forty in any one work week. In the computation of overtime, the work week shall include paid absence on holidays, sick time, vacation days and personal time.

9.1.3. Salaried employees are exempt from the provisions of the Fair Labor Standards Act provided they satisfy criteria for exemption.

9.1.4. Normal work week for CCT paramedic/shift supervisors who work on a 24 hour shift rotation will be 42 hours per week.

Section 9.2 Flexible Work Hours

9.2.1 Purpose – To provide information and guidelines concerning the administration of the Town's flextime program.

9.2.2 Applicability – This program may be available to all employees covered by the Personnel Bylaws.

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9.2.3 Definition – Flextime: An alternate work schedule by which an employee may work within specified limits dictated by the needs of the job and subject to review and approval by the department head or appointing authority, and the Town Administrator.

9.2.4 Policy

9.2.4.1 In an effort to accommodate the needs of employees within the context of organizational requirements and employee safety, to increase productivity and customer service, and to attract and retain highly motivated employees, the Town may authorize the implementation of flextime schedules. No flextime authorization shall adversely affect the ability of the department to remain fully open and available for the conduct of the public's business during normal working hours nor shall it cause any increase in cost.

9.2.4.2 Flextime is not a right of any Town employee. It is a privilege voluntarily agreed to by an employee and the Town of Oak Bluffs. Any flextime schedule must be agreed to in writing and signed by the department head or appointing authority, the Town Administrator and the employee. It may be determined that flextime is not appropriate under any circumstances for a particular position or operation. The Town Administrator, in consultation with the appropriate department head, may revoke flextime work schedules for any reason.

Section 10. Grievance Procedure

Reporting	10.1
The Hearing	10.2
The Ruling	10.3

10.1. Reporting

10.1.1. Any employee in a non-bargaining unit, who is aggrieved by a decision of or by the alleged misconduct of any Town authority, elected or appointed, shall immediately report the incident to his or her supervisor. If the incident involves the supervisor, an initial report shall be made directly to the Town Administrator.

10.1.2. The supervisor or affected employee may petition the Personnel Board to hold a grievance meeting as soon as the facts have been ascertained and reduced to writing. In any event, the written notice is to be filed with in one (1) week of the incident and shall include a request for relief or remedy.

10.1.3. Massachusetts General Law, Chapter 40. Section 21B, defines "grievance" as a dispute between an employee and supervisor arising from an exercise of administrative discretion. This By Law expands that definition to include problems that may arise between any employee, a supervisor and an administrative authority.

10.1.4. Except where the authority is dictated by law, the Board's jurisdiction to decide grievances includes those which involve elected as well as appointed personnel, with the

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exception of the school staff and employees covered under collective bargaining agreements.

10.2 The Hearing

10.2.1. Upon receipt of the grievance notice, the Town Administrator shall within ten (10) working days schedule a hearing and give notice to all those involved.

10.2.2. The Board will follow their established procedure for the purpose of conducting the grievance hearing.

10.3 The Ruling

10.3.1. After hearing the grievance the Board shall issue its findings and render its decision which may affirm, deny or amend the requested remedy.

10.3.2. The Board's decision on a grievance on any matter covered by this By Law shall be final and binding on all parties.

10.3.3. A copy of the decision will be forwarded to affected parties and filed in the Town Administrator's office.

Section 11. Separation

11.1 Resignation

11.1.1. All notices should be submitted in writing specifying the effective date of departure at least two weeks prior to the expected departure date. Such notice shall be submitted to the department head with a copy to the Town Administrator.

11.1.2. When possible the Personnel Administrator will conduct an exit interview.

Section 11.2 Layoff and Recall Procedure

11.2.1. In the event a layoff becomes necessary as determined by the employer or vote of Town Meeting then the order of layoff will be determined by the following criteria:

Length of service to Town, department or classification. Need of critical service provided (license, certification)

11.2.2. Two weeks prior to a scheduled layoff the Town Administrator will notify the affected employees in hand and by certified mail detailing the effective date, any applicable recall rights, the process for continuation of medical insurance and unemployment claim filing.

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11.2.3. Laid off employees are entitled to all wages accrued and vacation credits earned as of the lay off date.

11.2.4. Laid off employees will have recall rights for one full year. During that year, laid off employees shall be entitled to first consideration for any position they are qualified to fill before any position is declared vacant and advertised. No vacation or sick credits are earned during the layoff period.

11.2.5. Recall will be in the reverse order of the layoff. The last employee laid off will be the first eligible for recall. Recalled employees shall be notified of the recall by certified mail at the last known address of the employee. Said employee has two weeks to notify the Town of his or her intention to return. Failure to provide such notification shall result in termination of rights under this provision.

11.2.6. Upon recall employees shall resume their seniority as if no layoff occurred. The period of layoff shall not be credited to seniority.

11.3. Disciplinary Procedures

11.3.1. No regular employee who has completed the probationary period shall be suspended or discharged without just cause. This does not apply to new hires during the probationary period.

11.3.2. Except in cases requiring immediate and severe discipline no employee shall be suspended without pay or discharged unless the supervisor has given the employee three written warnings of specific incidents and these warnings have been forwarded to the Secretary and the Personnel Administrator.

BENEFITS

Section 12. Holidays

Designated Holidays	12.1
Holiday Pay	12. 2

12.1. Designated Holidays

12.1.1 All regular Town employees who work twenty (20) hours or more per week are entitled to the following thirteen (13) holidays:

New Year's Day
Martin Luther King Jr. Day
Presidents' Day
Patriots' Day
Memorial Day
Juneteenth

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Independence Day
Labor Day
Columbus Day
Veterans' Day
Thanksgiving Day
The Friday immediately following Thanksgiving Day
Christmas Day

12.1.2. Whenever one of these holidays falls on a Saturday, the Friday before will be designated as the day off. If the holiday falls on a Sunday, the following Monday is observed as the holiday.

12.1.3. If a holiday falls during an employee's regularly scheduled vacation, a replacement day, mutually approved by the employee and the supervisor, shall be allowed.

12.2 Holiday Pay

12.2.1. All non-exempt regular employees who work on a designated holiday will be paid at a double-time rate. Such work must be authorized by the supervisor. Holiday workers include those who are required to maintain essential services, and those on special assignment. There shall be no pyramiding of overtime.

12.2.2. Regular Fire- EMS employees who work on a designated holiday will be paid straight time plus time and one half for hours worked.

Section 13. Vacation

13.1. Regular full-time and part-time employees, working twenty hours or more, are eligible for paid vacation after one year of continuous service as follows:

<u>Years of Employment</u>	<u>Vacation Time</u>
One year	Two weeks
Three Years	Three weeks
Ten Years	Four weeks
Twenty Years	Five weeks
Twenty Five Years	Six Weeks

Vacation scheduling shall be converted to a fiscal year basis after employee's one-year anniversary, accrue totals will be calculated from the initial date of hire as a regular employee.

13.2. One week of vacation is a normal five-day work week.

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13.3. Vacation time need not be taken all at once. A maximum of two weeks earned vacation may be carried over into the next fiscal year. The request to carry over must be submitted to and approved by the Department head and/or Town Administrator.

13.4. If a vacation includes a holiday, and additional day of vacation will be granted at a time mutually convenient for the employee and the supervisor.

13.5. Vacation time is considered an earned benefit. Unused vacation credit within the fiscal year will be paid upon retirement, resignation, layoff, or entrance into the armed forces. In the case of death, the cash value of the vacation credits will be paid to the estate of the deceased.

Vacation time pay-out will be pro-rated from the employees' anniversary until last date of employment with the Town for hours earned, not granted.

Section 14. Sick Leave

Sickness	14.1.
Accumulation of Credit	14.2.
Authorization	14.3.
Family Medical Leave	14.4.
Small Necessities Leave	14.5.

14.1. Sickness

14.1.1. Sick leave is defined as paid leave for regular employees who are unable to work due to illness or some other impairment, exposure to contagious disease, medical or dental care or because of an emergency illness within their immediate family.

14.1.2. An employee may be required to supply the personnel office with medical certification if the employee is out on sick leave for a period of five or more days.

14.1.3. Five consecutive days of sick leave credit may be used during any one year in the event of serious illness or emergency conditions within the immediate family, which includes a spouse or domestic partner, parent, a child, or other person under the employee's direct care irrespective of the Family Medical Leave Act or Small Necessities Leave Act.

14.2 Accumulation of Credit

14.2.1. Regular full-time and part-time employees working twenty hours per week or more shall accrue

14.2.2. One hundred twenty (120) days of sick leave credit may be accumulated for use while employed by the Town. This sick leave credit is not convertible to a cash payment

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at the time of separation except that at retirement sick leave may be converted to a cash payment equal to $1/2$ the accumulated days for employees hired before July 1, 2014.

14.3 Authorization

14.3.1. All sick leaves must be authorized by the supervisor, and immediately reported to the Personnel office on the appropriate form.

14.3.2. If the supervisor does not approve a sick leave request, the employee may submit a grievance to the Personnel Board.

14.4 The Family Medical Leave Act of 1993

14.4.1. Regular employees are eligible for up to twelve weeks of unpaid, job protected leave for caring for certain family members and medical reasons. Employees are eligible if they have worked for the Town for at least one year, and have worked one thousand two hundred fifty hours (1250) over the previous twelve month period. (Reference: U.S. Department of Labor, Employment Standards Administration, Wage and Hour Division, Washington, DC. 20210. WH Publication 1420 - June 1993.)

14.2.2. The Town may designate extended leave as Family Medical Leave when appropriate and will notify the employee in writing.

14.5 The Small Necessities Leave Act of 1998

14.5.1. Employees are eligible for 24 hours of unpaid leave during a twelve month period (fiscal year) for certain family obligations. If the leave is foreseeable, the employee must give seven days notice before the date the leave is to begin for the following purposes:

1. To Participate in school activities directly related to the education advancement of the employee's son/daughter, (e.g., attending parent-teacher conferences; enrolling child in school; interviewing for a new school).
2. To accompany employee's son/daughter to routine medical appointments, including visits for check-ups, vaccinations, etc.
3. To accompany an "elderly" relative of the employee (i.e., a person at least 60 years of age, related by blood or marriage to the employee, including the employee's parents) to routine medical/dental appointments, appointments for other professional services related to the elder's care (e.g., interviews at nursing or group homes).

Section 15. Special Leave

15.1 Bereavement Leave

15.1. A paid leave of up to five days is granted in the event of a death of immediate family. Immediate family is defined as spouse, domestic partner, parent child, parent in law, brother, sister, grandparents. The leave must be authorized by the supervisor.

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Attendance at funerals for non-immediate family is at the discretion of the department head.

15.2 Jury Duty

15.2. Full and part-time regular employees who receive a notice to report for jury duty shall continue to be paid their regular rate of compensation but shall be expected to return to work whenever they are released during the day. Evidence of jury duty should be submitted to the supervisor and Town Administrator.

15.3 Military Leave

15.3.1. An employee of the Town who is a member of the Military Reserve or National Guard shall be granted leave of absence to perform military training duties in accordance with MGL Ch. 149 § 52A. Such absence for military training shall not affect the employee's right to receive vacation, sick leave and other benefits.

15.3.2. If said employee is full-time and has been in the employment of the town for at least one (1) year of continuous service, the town will compensate the employee up to ten (10) days of regular pay per calendar year for inactive or active duty training periods. The employee shall provide their Appointing Authority with a copy of the report to duty order and a request for leave form with the anticipated departure and return dates.

15.3.3. All other employees shall be granted leave by their Appointing Authority without pay for such period.

15.3.4 An employee who is call to active duty or enlisted in the Armed Forces of the United States shall be protected under the United States Employment and Reemployment Rights Act (USERRA) of 1994.

15.4.1 Personal Days

15.4.1. Full and part-time regular employees, working twenty hours or more per week, are eligible for a paid leave of three days a year. The purpose of the leave is to provide an opportunity for personal business. Personal days shall not be carried over into the next fiscal year.

15.4.2. Requests for personal days must be authorized by the supervisor, and immediately reported to the Personnel office on the appropriate form. Written requests should be submitted not less than seventy-two hours in advance, except in the case of emergency.

15.5 Leave of Absence (LOA)

15.5.1. A leave without pay may be granted for a period not to exceed six months (180 days).

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15.5.2. The leave may be extended for two additional 90 day periods to enable an employee to complete another year of education or accomplish a project which may benefit the Town.

15.5.3. No vacation time, sick credit, or personal days shall accrue during an approved LOA. Medical benefits may be continued only at the full expense of the employee for the duration of the LOA.

15.5.4. An application for the LOA must be submitted through the supervisor to the Personnel Board for their consideration. Their decision will be based on:

1. The reason for request,
2. The potential for enhancing the employee's job qualifications and
3. The Town's ability to absorb the employee's work load. to hire a long-

Section 16. Group Insurance

Medical Insurance	16.1.
Workers' Compensation	16.2.
Retirement Plan	16.3.

16.1. Medical Insurance

16.1.1. Newly hired full-time and part-time regular employees are eligible for medical and life insurance coverage after a 90 waiting period from their start date.

16.1.2. The Town contributes seventy-five per cent (75%) of the premium for a group insurance program covering family or an individual.

16.1.3. Eligible employees who retire from employment with the Town shall be entitled to continued coverage at their same rate, paid through a retirement system check deduction.

16.1.4. In the event of the death of a Town employee or retiree his or her spouse may continue to receive the same level of medical coverage by paying the rate for retired employees. The employee must have worked for the Town at least twenty hours per week year round and in full continuous employment for ten years for this coverage to be available.

16.2. Workers' Compensation

16.2.1. Federal and state regulations mandate insurance against on-the-job accidents. (See the Massachusetts Worker's Compensation Act). Any job related accident must be reported immediately to the supervisor who shall submit an Employee Accident Form to

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the Personnel office even if it does not require farther medical attention. The payment of a claim depends upon timely notification. All incidents must be reported.

16.2.2. Any job related accident must be reported immediately to the supervisor who shall submit an Employee Accident form to the Personnel office even if it does not require farther medical attention. The payment of a claim depends upon timely notification. All incidents are to be reported even if they seem to be harmless. If in doubt as to whether the accident is serious enough to report to Personnel, it should be reported.

16.2.3. In approved Worker's compensation cases the Town will pay the difference between the statutory amount and the employee's regular rate through use of employee's accrued sick time if available, for a period not to exceed 120 days.

16.3 Retirement Plan

16.3.1. Regular full-time and part-time employees accumulate savings in the Dukes County Contributory Retirement Plan through an authorized weekly payroll deduction. This mandatory deduction begins on the day of hire at the then current prevailing percentage.

16.3.2. Employee contributions to the pension plan may be augmented through payments by the Town.

Section 17. Seniority

17.1. Seniority for employees covered under these By Laws shall be determined by the length of continuous service beginning on the first day of employment with the Town.

17.2. Seniority shall not be affected by required military leave, authorized vacation leave, sick leave, bereavement leave, maternity leave and authorized LOA. Seniority shall be a consideration for promotions.

Section 18. Longevity Pay

18.1. Regular full time and part time employees hired after July 1, 2014 shall be eligible for longevity based upon years of continuous service as follows:

After the completion of five years	\$ 300.00
After the completion of ten years	\$ 500.00
After the completion of fifteen years	\$ 800.00
After the completion of twenty years	\$ 1000.00
After the completion of twenty-five years	\$ 1500.00
After the completion of thirty years and thereafter	\$ 2000.00

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Regular full-time and part-time employees hired before July 1, 2014 shall be eligible for longevity based upon years of continuous service as follows:

After the completion of three years	\$ 300.00
After the completion of five years	\$ 500.00
After the completion of ten years	\$1000.00
After the completion of 15 years	\$1500.00
After the completion of 20 years	\$2000.00
After the completion of 25 years and thereafter	\$2500.00

18.2 Payment is made during December to eligible employees. Elected officials shall not be eligible for longevity pay. A pro-rated portion shall be paid to the otherwise eligible employees whose service has terminated during the period or to the estate of an employee who has died.

Section 19. Amendments

19.1. All amendments to the By-Law must be ratified by vote of the Town Meeting and endorsed by the Secretary of State of the Commonwealth. Amendments are entered on the warrant by vote of the Personnel Board and may be endorsed by the Selectmen or other concerned agencies.

19.2 Petitioned Amendments

19.2.1. An amendment to the By-Law may be presented to the Town Meeting by petition if signed by one hundred (100) registered voters and submitted to the Personnel Board in a timely fashion, but in no event submitted less than ninety (90) days prior to said meeting.

19.2.2. The Board, after at least three days written notice to the petitioners and to the departments affected, shall hold formal hearings to consider the merits of the proposed amendment.

19.2.3. If the Personnel Board fails to act on the petitioned amendment within thirty (30) days of the hearing, it will be deemed that the Board has disapproved the amendment. The petition may then be presented to the Town Meeting without Personnel Board sponsorship.

19.3. Errors and Omissions

19.3.1. If any section of the By-Law is found invalid it shall not invalidate any other provision.

19.3.2. Adoption of said By Laws shall be in replacement of and not in addition to the existing Personnel By Laws. The printing of the warrant shall serve as public notification by the Personnel Board of said revision.

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Schedule A: Classification Schedule, Non-Union

Grade Level	Position Title
I	Administrative Assistant (Marina)
	Administrative Assistant (Police)
	Admin Assistant (BOS)
	Administrative Assistant (Fire)
II	Office Administrator (Police)
	Office Administrator (Fire)
	Planning Board Administrator
	Assistant Treasurer - Collector
	Assistant Town Accountant
	Animal Control Officer
	Executive Assistant (BOS)
	Deputy Shellfish Constable
III	COA Administrator
	Town Accountant
	Treasurer - Collector
	Town Clerk
	Assistant Town Administrator
	Library Director
	Principal Assessor
	IT Manager
	Harbor Master
	Wastewater Facilities Manager
	Shellfish Constable
IV	Highway Superintendent
	Police Chief
	Fire Chief
V	Town Administrator

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Schedule B: Compensation Schedule, Non-Union

Grade	Hire Range		Market Equity Range			Growth Range	
	Min	Max	Min	Benchmark	Max	Min	Max
I	\$18.82	\$21.18	\$21.18	\$23.53	\$26.82	\$26.82	\$30.12
II	\$22.84	\$25.70	\$25.70	\$28.55	\$32.55	\$32.55	\$36.54
III	\$32.14	\$36.15	\$36.15	\$40.17	\$45.79	\$45.79	\$51.42
IV	\$38.84	\$43.70	\$43.70	\$48.55	\$55.35	\$55.35	\$62.14
V	\$45.48	\$51.17	\$51.17	\$56.85	\$65.95	\$65.95	\$75.04

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Schedule C. Pay Schedule for Temporary, Seasonal, Per-Diem and Part-Time Non-Union Employees.

<u>Department</u>	<u>Position</u>	<u>Grade</u>	<u>1</u>	<u>2</u>	<u>3</u>	<u>4</u>	<u>5</u>	<u>6</u>	<u>7</u>
		A	13.50	13.84	14.18	14.54	14.90	15.27	15.66
Library	Library Page								
Parks	Attendants								
Marina	Mooring Attendants								
		B	14.20	14.56	14.92	15.29	15.67	16.07	16.47
Marina	Dock Attendants								
		C	14.75	15.12	15.50	15.88	16.28	16.69	17.11
Library	Aides/ Seasonal Aides								
Bd of Registrars	Election Workers								
Parks	Assistant Basketball Instructors								
Marina	Fuel Attendant								
		D	15.90	16.30	16.70	17.12	17.55	17.99	18.44
Library	Senior Library Aide								
Shellfish	Laborer								
Marina	Pump Out Attendant								
		E	17.19	17.62	18.06	18.51	18.97	19.45	19.94
Highway	Downtown Cleaners								
	Summer Laborers								
Marina	Shift Supervisors								
Police	Community Service Officers								
	Parking & Traffic								
		F	18.25	18.71	19.17	19.65	20.14	20.65	21.16
Police	Summer Specials								
Marina	Assistant Harbormaster								
Parks	Head Basketball Instructor								
	Assistant Recreation Director								
	Lifeguards								
General Gov.	Board/Committees Minutes Clerk								
		G	22.00	22.55	23.11	23.69	24.28	24.89	25.51
General Gov.	Part-time Administrative Assistants								
Parks	Recreation Director								
IT	Assistant								
Police	Part-time ACO								
Shellfish	Deputy Constable								
		H	23.22	23.80	24.40	25.01	25.63	26.27	26.93
Police	Year Round Special								
General Gov.	ZBA/ Conservation Administrators								
EMT	Per-Diem	I	26.07	26.72	27.39	28.07	28.78	29.50	30.23
Paramedic	Per -Diem	J	29.21	29.94	30.69	31.46	32.24	33.05	33.87

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