

TOWN OF DUDLEY



EMPLOYEE HANDBOOK

REVISION 1/8/24

Dear Employee:

We take this opportunity to welcome you to employment by the Town of Dudley and thank you for joining our team. Our goal is to provide our citizens efficiently and effectively with services that improve, preserve, and enhance their quality of life. Public service, whether in safety, finance, health, recreation, regulatory functions, or in any of the many other aspects of local government, can be one of the most satisfying careers you could choose. In Dudley, we pride ourselves on the high standards of our local government service. We know that you will find your work in Dudley both challenging and rewarding.

This handbook, along with the Town's Personnel Bylaw, is designed to provide you with an understanding of the Town, its policies, benefits, procedures, and working standards. If you find that you have questions that are not answered in these materials, please feel free to bring them to your department head or the Assistant Town Administrator/Human Resource Manager. We hope that you will enjoy working for the Town of Dudley.

The Dudley Board of Selectmen

Table of Contents

INTRODUCTION	3
RESERVATION OF RIGHTS	3
EMPLOYMENT-AT-WILL	3
EQUAL EMPLOYMENT OPPORTUNITY EMPLOYER	3
AMERICANS WITH DISABILITIES (ADA)	3
EMPLOYEES	3
PROBATION	4
COBRA	4
OFFICE PROCEDURES	4
BENEFITS	5
<i>Retirement System</i>	5
<i>Compensation Plan</i>	5
<i>Applicability</i>	5
<i>Market Adjustments</i>	6
<i>Deferred Compensation</i>	6
<i>Longevity Pay</i>	6
<i>Life Insurance</i>	7
<i>Health & Dental Benefits</i>	7
<i>Employee Assistance Program</i>	7
LEAVES	7
<i>Vacation Leave</i>	7
<i>Holiday Leave</i>	8
<i>Sick Leave</i>	8
<i>Sick Leave Buy Back</i>	9
<i>Personal Leave</i>	9
<i>Family Medical Leave</i>	9
A. INTRODUCTION	9
B. EMPLOYEE ELIGIBILITY	9
C. LEAVE ENTITLEMENT	9
D. MAINTENANCE OF HEALTH BENEFITS	11
E. JOB RESTORATION	11
F. NOTICE, CERTIFICATION AND STATUS REPORTS	12
G. OTHER PROVISIONS	12
H. DEPARTMENTAL PROCEDURES	12
<i>Non-FMLA Family Leave Policy</i>	13
<i>Funeral / Bereavement Leave</i>	13
<i>Small Necessities Leave Policy</i>	14
<i>Parental Leave</i>	15
<i>Military Leave</i>	15
<i>Jury Duty or Court Appearance</i>	15
<i>Unpaid Leave</i>	15

OPERATIONAL RULES.....	15
A. <i>Rest Periods</i>	15
B. <i>Lunch Breaks</i>	15
C. <i>Workplace Delayed Openings, Early Closing & Unscheduled Closures</i>	15
D. <i>Gifts and Gratuities</i>	16
E. <i>Dress Code</i>	16
F. <i>Personal Telephone Calls</i>	17
G. <i>Workplace and Office Etiquette / Professional Courtesy</i>	17
H. <i>Health and Safety Policy</i>	17
I. <i>Right-to-Know Policy</i>	20
J. <i>Smoking Policy</i>	20
K. <i>Employee Conduct Policy</i>	20
L. <i>Children in the Workplace Policy</i>	20
COMMUNICATIONS POLICY.....	21
MEDIA POLICY	24
EXTERNAL LINK POLICY.....	29
CONFLICT OF INTEREST POLICY.....	31
OUR EXPECTATIONS.....	31
SEXUAL HARASSMENT	31
ALCOHOL & DRUG POLICY	31
WORKPLACE VIOLENCE POLICY	32
DOMESTIC VIOLENCE LEAVE POLICY	32
GRIEVANCE POLICY	34
PROGRESSIVE DISCIPLINE POLICY.....	35
EMPLOYEE WORK STATION/WORK PRODUCT & CORRESPONDENCE POLICY	35
PERSONNEL FILE POLICY.....	35
ANTI-NEPOTISM POLICY	36
COMPUTER & NETWORK USAGE POLICY	37
OPEN DOOR POLICY	38
PAPER REDUCTION POLICY	39
CELLULAR TELEPHONE POLICY.....	39
<i>CELLULAR TELEPHONE USE & ACKNOWLEDGEMENT FORM</i>	41
PERFORMANCE EVALUATION POLICY	42
WAGE AND HOUR POLICY	44
PREGNANT WORKERS FAIRNESS ACT POLICY	44
POLITICAL ACTIVITY POLICY	45
ANTI-DISCRIMINATION AND HARASSMENT POLICY	46
<i>ANTI-DISCRIMINATION AND HARASSMENT POLICY ACKNOWLEDGEMENT</i>	51
WORKPLACE INJURIES POLICY	52
WORKPLACE SAFETY POLICY	52
FRAUD PREVENTION POLICY.....	53
SEPARATION FROM SERVICE POLICY	54
EQUAL PAY ACT POLICY.....	55
ADDENDUM A: TOWN OF DUDLEY TELEWORK POLICY.....	56
ADDENDUM B: TOWN OF DUDLEY PROFESSIONAL CONDUCT POLICY	62
<i>EMPLOYEE HANDBOOK ACKNOWLEDGEMENT</i>	66

INTRODUCTION

These Policies and Procedures are promulgated by the Personnel Board and Director of Personnel pursuant to § 74-5, Personnel Director, and the Town Administrator Bylaw, § 68-19, rules, and regulations of the Bylaws of the Town of Dudley.

RESERVATION OF RIGHTS

These Policies and Procedures represent the Town of Dudley's current Policies and Procedures. These Policies and Procedures are subject to change as permitted by the Town's Bylaws, and subject to interpretation by the Town Administrator as the Personnel Director.

EMPLOYMENT-AT-WILL

Employment with the Town is voluntarily entered into, and the employee is free to resign at will at any time, with or without reason. Similarly, the Town may terminate its employment relationship with any employee at-will at any time, with or without notice or reason, provided there is no violation of applicable federal or state law.

EQUAL EMPLOYMENT OPPORTUNITY EMPLOYER

The Town of Dudley, in compliance with applicable state and federal law, does not discriminate on the basis of race, color, national origin, religion, sex, pregnancy, sexual orientation, gender identity, genetic information, veteran status, physical or mental disability, age or any other legally protected classification in any of its employment policies, procedures or practices.

It is the policy and practice of the Town of Dudley to provide equal opportunity to all employees and applicants for employment without regard to race, color, national origin, religion, sex, pregnancy, sexual orientation, gender identity, genetic information, veteran status, physical or mental disability, age or any other legally-protected classification. Efforts shall be taken to ensure the implementation of this policy in all areas of Town employment. This policy shall include:

- i. Recruitment, advertising, or solicitation for employment.
- ii. Selection, placement, upgrading, transfer, promotion, or demotion.
- iii. Rates of pay or other forms of compensation.
- iv. Selection for training.
- v. Layoff or termination.
- vi. Terms and conditions of employment.
- vii. All other aspects of personnel administration.

AMERICANS WITH DISABILITIES (ADA)

The Town of Dudley is committed to providing equal employment opportunities to otherwise qualified individuals with disabilities who can perform the essential functions of the job, which includes providing reasonable accommodation. In general, it is the employee's responsibility to notify their supervisor or the Town Administrator of the need for an accommodation, and the supervisor or the Town Administrator shall ask for the employee's input on the type of accommodation they believe is necessary, or the functional limitations caused by the employee's disability. However, the Town cannot guarantee the employee will be provided with the specific accommodation requested. Also, when appropriate, the Town of Dudley might require additional information from the employee's physician or other medical or other rehabilitation professionals.

This policy applies to all Town job applicants and employees of the Town of Dudley.

EMPLOYEES

A regular full-time employee is an employee who is regularly scheduled to work 40 hours per workweek.

A regular part-time employee is an employee who is regularly scheduled to work at least 20, but fewer than 40 hours per workweek.

Regular full-time and regular part-time employees are eligible for benefits referenced in this Employee Handbook.

The Town may also employ employees on a temporary, intermittent, casual, seasonal, or call basis. Such employees are not eligible for the benefits referenced in this Employee Handbook unless otherwise expressly provided herein or required by law.

The Town Administrator may grant other additional benefits or compensation to non-bargaining unit, noncontract police officers, Deputy or Assistant Fire Chief, or the Highway Foreman that are generally consistent with benefits offered within the professional and/or other bargaining unit or contract police officer in the Town. Similarly, if there are additional benefits or compensation uniquely appropriate to a specific profession, the Town Administrator may grant such benefits or compensation. Where an employee has an employment agreement, and the agreement conflicts with any policy herein, the employment agreement shall prevail. Where a policy is undefined in an employment agreement, the provisions herein shall apply.

PROBATION

For new employees, a six (6) month probationary period is established from date of hire, unless negotiated otherwise. If the six-month anniversary date falls on a weekend or holiday, the next business day is considered the employee's anniversary date. The Town Administrator may, at his discretion, negotiate a shorter or longer probationary period with each employee.

The employee's department head shall meet with the employee after being employed for three months.

If a new employee fails to perform in the position for which they were hired, the Town Administrator may terminate the employee.

COBRA

Federal law requires employers who sponsor group health plans to offer employees and their dependents the opportunity for a temporary extension of health coverage (called "continuation coverage") in certain instances where coverage under the plan would otherwise end. More information regarding COBRA coverage will be provided upon a qualifying event.

OFFICE PROCEDURES

A. Level of Pay

The Town of Dudley has adopted a Job Classification and Compensation Plan that sets out hourly, weekly, and annual pay. The Classification and Compensation Plan is reviewed yearly by the Director of Personnel and updated if required.

B. Pay Procedures

Time sheets are utilized to provide accurate, verifiable reporting of time worked on Town business, and to assist in the calculation of regular, vacation, sick and comp time, holiday hours, and other forms of pay for hourly employees.

Each week, every employee will complete a daily time sheet or timecard that lists the employee's actual start time, lunch time in and out, and stop time each day. Hourly employees will clock in and out of work manually using their Security Access Card or using an online system.

At the completion of the established pay period, the completed time sheets totaled and signed by the employee, are given to the department head or immediate supervisor for approval. Payroll must not be signed ahead of time.

Boards and commissions, or the Town Administrator, must sign payroll forms, unless a designee is voted at a regular meeting, and passed into the Town Accountant by Monday at 9:00 AM. The only exception is in the case of a Monday holiday, payroll forms must be signed and forwarded to the

Town Accountant by 9:00 AM on Tuesday.

C. Hours of Work

The Town Administrator determines Town Hall hours. Since different departments may have slightly different hours of operation, employees should check with their department head. Departmental work for all hourly non-exempt employees must be performed during the employee's approved work hours and must be performed at the employee's regular worksite.

D. Inclement Weather and Emergency Closing

If the Town Hall and Library should be closed for inclement weather, employees will be notified by the Town Administrator or his designee.

BENEFITS

Retirement System

All employees of the Town of Dudley who are regularly scheduled to work 20 or more hours per week contribute to the Worcester Regional Retirement System. A certain percentage of the employee's gross weekly pay is deducted and deposited into an individual retirement account. A mandatory deduction for employees working fewer than 20 hours a week will be made to OBRA deferred comp. Additional details on the provisions of the retirement system are available from the Treasurer/Collector's Office.

Compensation Plan

Effective August 23, 2021, the Board of Selectmen voted to approve an Overall Employee Compensation Plan that applies to non-bargaining unit, non-contract employees and further directed and authorized the Town Administrator to develop, implement, and administer an employee evaluation plan that awards all future increases and bonuses based on employee accomplishments.

As part of this plan, a position characteristic chart has been developed, and all applicable positions have been assigned to grades 1 to 6. Within each grade is a market equity pay scale and a characteristic chart that specifically defines the characteristics of each grade to aid in the process of developing new positions or reclassifying existing ones. Various processes have been developed to provide for employee appraisal and appeal of classification.

Applicability

This section applies to all full-time and part-time employees in Town service, exclusive of employees under collective bargaining agreements, individuals with an employment agreement, and elected officials.

Benefit: The Town provides for two types of merit/performance-based awards as follows:

Merit Bonus – The Town Administrator, in his discretion, may grant a one-time merit bonus, per fiscal year, to an employee who has demonstrated extraordinary performance. To be eligible, an employee must have demonstrated initiative in assisting other department personnel, made substantial efforts to improve customer service, achieved a significant one-time goal or project, or other factors that the Town Administrator, in his discretion, deems worthy of a bonus.

Merit Raise – Based upon the annual rating received on the employee's performance appraisal, the Town Administrator may grant, at his discretion, a merit raise for any one fiscal year.

Merit bonuses and raising will always take into consideration the Town's finances.

Market Rate Adjustment:

The Town Administrator is authorized to provide market rate adjustments designed to bring employees within a salary range that is competitive with the local job market.

Market Adjustments

The Town Administrator may consider requests for pay adjustments upon recommendation of the department head. Pay adjustments shall consider an employee's compensation rate in comparison to the Town's Current Market Equity Pay Band. The Town Administrator may require a compensation survey to be completed and a revised job description as part of a pay adjustment request and shall update the Approved Market Equity Pay Band as conditions dictate.

Deferred Compensation

The Town of Dudley, in accordance with M.G.L. c. 44 Sec. 67, belongs to a Commonwealth of Massachusetts deferred compensation plan administered by a company chosen through the Commonwealth's bidding program. This voluntary, employee-paid plan is designed to supplement an employee's retirement income. Additional details on the provisions of the deferred compensation are available from the Town Treasurer/Collector.

Longevity Pay

Purpose: To improve retention and to maintain a well-functioning core of employees, the Town has introduced a longevity benefit.

Employees Eligible: The longevity payment shall be paid to hourly and salary (non-contract) employees. Contracted full-time employees, elected full-time employees, elected part-time employees, and employees covered under a collective bargaining agreement shall not be eligible.

Years of Service: The longevity payment will be made to eligible employees who have a minimum of ten (10) years of service with the Town of Dudley. Full-time service outside the Town of Dudley shall not be considered for eligibility. Elected service shall not be considered for the years of continuous employment. Employees who have a break in service caused by FMLA, Maternity Leave, and Military Leave, Layoff or similar scenario shall still be considered eligible for the longevity payment.

Eligibility: An employee's eligibility for this benefit shall be as of July 1, of the respective fiscal year the benefit is to be paid.

For example: Fiscal years start July 1 of each year. An employee whose date of hire is July 17, 2009, would not receive the 10-year longevity until the following fiscal year, July 1, 2020.

Pay Period: Longevity pay shall be paid the first pay period in December.

Pay Scale: Each eligible full-time employee shall be paid a longevity payment in the following manner, regardless of their regular rate of compensation.

- \$200 annually after ten (10) years of continuous service
- \$400 annually after fifteen (15) years of continuous service
- \$600 annually after twenty (20) years of continuous service
- \$800 annually after twenty-five (25) years of continuous service
- \$1,000 annually after thirty (30) years of continuous service

Each eligible part-time employee shall be paid a longevity payment that is pro-rated according to their normal scheduled hours per week using the respective full-time payment for the pro-rata basis.

Retirement Eligibility: The longevity payment may or may not be eligible for retirement deductions as part of regular compensation. The decision to determine retirement eligibility is solely at the discretion of the Worcester Regional Retirement System and/or PERAC.

Life Insurance

Town employees have the option to purchase life insurance. The Town pays a percentage of the premium for this policy. Retirees are also eligible for a policy that has a percentage premium contribution from the Town. Enrollment for the policy is available at the time employment starts, with coverage effective thirty days from date of hire. If an employee chooses to purchase this insurance sometime later, the employee will be required to meet the company's medical standards at the employee's own cost. The Town may alter, amend, change, modify or discontinue any life insurance plan at any time. Additional information is available from the Town Treasurer/Collector.

Health & Dental Benefits

The Town of Dudley provides group health and dental benefit coverage for Town employees and their dependents. Employees regularly scheduled to work at least 20 hours per week may elect to buy health coverage through the Town. The Town shares the cost of the premium with employees. Employees may enroll in a health benefit program when they first begin work; coverage is effective thirty days from date of hire.

Employee Assistance Program

Occasionally employees may experience personal problems that can have a negative effect on the quality of their lives at home and at work. The Town of Dudley offers its employees the services of an Employee Assistance Program (EAP) to help them deal with a wide range of problems such as marital and family issues, emotional distress, alcoholism, drug abuse, etc. This service is available to the employee and to their household members at no cost. Consultations with the EAP are confidential to the extent permitted by law.

Employees can find directions for contacting the EAP provider on the employee information bulletin board in the building where they work, or on the Human Resources page on the Town's website.

LEAVES

Vacation Leave

1. Eligibility. Regular full-time and regular part-time employees are eligible to accrue paid vacation leave based on each employee's regular work schedule. Employees begin accruing vacation leave on their first day of employment but must complete their agreed upon probationary period before vacation leave can be used.
2. Leave Schedule. The amount of vacation leave is based on years of consecutive service from the date of hire and is granted on an employee's anniversary date according to the following schedule:

6 months to 48 months	10 days
49 months to 120 months	15 days
121 months to 20-year anniversary	20 days
Over 20 years	25 days

3. Use. Vacation leave should be requested as far in advance as possible. Approval for vacation requests will be granted on a "first come, first served" basis. The Town reserves the right to deny an employee's request for vacation. Employees must use their vacation time in the fiscal year in which it is earned. There is no carry-over provision.
4. Exceptions. The Town Administrator may offer a new employee vacation in excess of the above schedule provided that no new employee may accrue more than 20 days of vacation leave in their first year of employment. The Town Administrator may also waive the prohibition that a new employee does not use vacation leave during their probationary period.
5. Separation from Employment. Any earned but unused vacation time will be paid to an employee upon

termination.

Holiday Leave

Regular full-time and regular part-time employees are eligible for the following paid holidays, and any applicable federal or state holidays that may be enacted.

New Year's Day	Labor Day
Martin Luther King Day	Columbus Day
Presidents' Day	Veterans' Day
Patriots' Day	Thanksgiving Day
Memorial Day	Day after Thanksgiving
Juneteenth	Christmas Day
July 4 th	

Sunday Holidays: In the event a legal holiday falls on Sunday, the holiday will be observed on the following Monday.

Saturday Holidays: In the event a legal holiday falls on a Saturday, all Town offices shall be closed on the Friday immediately preceding the Saturday holiday.

If the holiday falls on a non-scheduled workday, the employee will not be entitled to compensation time.

Sick Leave

Employees may not use paid sick leave until the employee has earned and accrued time. Employees are not eligible to accrue paid sick leave until they complete their agreed upon probationary period.

Regular full-time employees shall accrue and accumulate paid sick leave credit at the rate of 1.25 days per month based on a forty (40) hour week for each full month of service. Regular part-time employees shall accrue paid sick leave on a prorated basis. The maximum accrual of paid sick leave is Sixty-Five (65) days. Paid sick leave must be used in units of whole hours.

Paid sick leave may be used for any of the following:

- a. An employee's illness, injury, or healthcare.
- b. The illness, injury or healthcare of a member of the employee's family.

"Family" means the employee's:

- Spouse
- Children
- Spouse's children
- Grandchildren
- Spouse's grandchildren
- Sibling
- Parents
- Spouse's parents
- Grandparents
- Parent's spouse
- Spouse's grandparent
- Other individual permanent residing in the employee's household

Paid sick leave will continue to accrue as long as the employee is working or on paid leave at least 5 hours per week.

The Town may require an employee to support a request to use paid sick leave with a medical certification. Failure to provide medical certification, including a note from a medical provider if requested, may lead to a denial of paid sick leave and possible disciplinary action against the employee.

Sick Leave Buy Back

Regular full-time employees may elect to have the Town buy back unused paid sick leave at the employee's rate of pay at the time of the request. The maximum number of days the Town will buy back in one fiscal year is 15 days at the 20% rate. Regular full-time Town employees may also buy back paid sick leave at the time of retirement at 50% up to a maximum of 65 days. Regular part-time employees are eligible as above at the prorated basis. Exempt employees may accrue 15 days per year to a maximum of 65 days. Exempt employees are not eligible for annual paid sick leave buyback, except at the time of retirement at the 50% rate, up to a maximum of 65 days. Elected Town Officials are not eligible for any paid sick leave buy back including any heretofore accrued. Employees hired after February 1, 2023, will not be eligible for the Sick Leave Buy Back benefit.

Personal Leave

Regular full-time and regular part-time employees will be entitled to three (3) personal days per year, not to exceed twenty-four (24) hours based on a forty (40) hour workweek. Any employee with a scheduled workweek of less than 40 hours will be entitled to three (3) days of personal leave prorated at the regularly scheduled hours per week. Personal leave will not be paid until the six-month probationary period has been completed.

Regular full-time and regular part-time employees may use their personal leave in half or whole day increments.

Personal leave shall be scheduled with prior approval of the department head, subject to the operating and staffing needs of the department, as determined by the department head. Personal leave must be used during the fiscal year in which it is awarded and cannot be carried over from fiscal year to fiscal year.

Family Medical Leave

A. INTRODUCTION

The Federal Family and Medical Leave Act of 1993 ("FMLA") entitles eligible employees to take unpaid, job-protected leave for specified family and medical reasons, as explained below.

B. EMPLOYEE ELIGIBILITY

To be eligible for FMLA benefits with the Town of Dudley, an employee must:

1. Work for the Town;
2. Have worked for the Town for a total of at least twelve months in the prior seven years; and
3. Have worked at least 1,250 hours over the previous twelve months immediately preceding the leave.

C. LEAVE ENTITLEMENT

Section 1. The Town will grant an eligible employee up to a total of twelve (12) workweeks of unpaid job-protected leave during a rolling 12-month period¹ for one or more of the following reasons:

1. For the birth or care of a newborn child.
2. For the placement with the employee of a child for adoption or foster care.

¹For the purposes of calculating the 12-month period referred to above, the Town will measure the 12-month period backward from the date of an employee's request for FMLA leave. Each time an employee takes FMLA leave, the Town will determine the total amount of FMLA leave used by the employee during the preceding 12 months, and the remaining time available to the employee will be the balance of 12 weeks which has not been used.

3. To care for an immediate family member (spouse, child, or parent) with a qualifying serious health condition.
4. When the employee is unable to work because of their own serious health condition that prevents them from performing the functions of their job; or
5. For a “qualifying exigency” (as defined in 29 CFR § 825.126) when the employee’s spouse, child, or parent who is a member of any branch of the military, including the National Guard or Reserves, has been deployed or called to active duty, in a foreign country.

Spouses employed by the Town, who are both eligible for FMLA, are jointly entitled to a combined total of twelve workweeks of family leave, except when the leave is needed to care for a child or spouse with a serious health condition, or the employee suffers a serious health condition that makes the employee unable to perform the essential functions of the job. Under such circumstances, such employees may each be eligible for up to 12 weeks of family leave.

Leave for birth or placement for adoption or foster care must conclude within twelve months of the birth or placement.

Section 2. The Town will also grant an eligible employee up to a total of twenty-six weeks of unpaid job-protected FMLA leave for the following reasons:

1. To care for a spouse, child, parent, or next of kin (i.e., nearest blood relative), who is a current member of the Armed Forces (including a member of the National Guard or Reserves) and who is undergoing medical treatment, recuperation or therapy, is an outpatient, or is on the temporary disability retired list, for a serious injury or illness incurred in the line of duty while on active duty in the Armed Forces, (or that existed before the beginning of the member’s active duty and was aggravated by service in the line of duty in the Armed Forces).
-
2. To care for a spouse, child, parent, or next of kin (i.e., nearest blood relative), who is a veteran undergoing medical treatment, recuperation or therapy for a serious injury or illness incurred in the line of duty while on active duty in the Armed Forces (or that existed before the beginning of the member’s active duty and was aggravated by service in the line of duty) and manifested itself before or after the member became a veteran. The veteran must have been a member of the Armed Forces (which includes the National Guard or Reserves) at any time during the period of five years preceding the date on which the veteran undergoes the medical treatment, recuperation, or therapy. Such 26-week leave period shall only be available for a single 12-month period.² To the extent spouses work for the Town, the aggregate number of workweeks available to both spouses shall be limited to 26 weeks during the single 12-month period. In addition, any leave taken during that single 12-month period for one of the other qualifying reasons (as noted in this Policy) shall count

The Town will also grant an eligible employee up to fifteen (15) days of leave to spend time with a spouse, child, or parent who is a military member and who is on short-term, temporary rest and recuperation leave during deployment. Such leave may only be taken during the military member’s rest and recuperation leave.

Section 3. Under some circumstances, employees may take FMLA leave intermittently.

1. FMLA leave may be taken intermittently in the following instances:
 - When it is medically necessary to care for a spouse, parent, or child with a serious health

² Calculation of the single 12-month period in this Section shall be based off the rolling 12-month period against the 26 weeks available. (Only 12 of the 26 weeks total may be used for an FMLA-qualifying reason other than to care for a covered service member.)

condition, or because of the employee's own serious health condition.

- To care for a newborn or newly placed adopted or foster care child, but only with the approval of the Town. Such approval, however, is not required for leave during which a mother who is an employee has her own serious health condition in connection with the birth of her child or if the newborn child has a serious health condition.
 - To care for a covered service member with a serious injury or illness, but such intermittent/reduced-schedule leave must be used within a 12-month period; or
 - For leave due to a qualifying exigency.
2. When intermittent leave is needed to care for an immediate family member, the employee's own illness, or a covered service member, and is for planned medical treatment, the employee must make a reasonable effort to schedule treatment so as not to unduly disrupt the Town's operation.
 3. The Town may temporarily transfer an employee taking intermittent or reduced schedule leave to an alternative job, with equivalent pay and benefits, that accommodates recurring periods of leave better than the employee's regular job when such leave is foreseeable based on planned medical treatment.

Section 4.

1. The Town requires employees to use accrued paid leave³, such as sick or vacation leave, or compensatory time, to cover some or all of the FMLA leave. When paid leave is used, the employee must follow the Town's paid leave policies and procedures with respect to the use of such leave.
2. Any leave taken by an eligible employee for any of the reasons covered by this policy will be considered FMLA leave and will be designated as such, even if the employee does not specifically identify the time off as FMLA leave.

D. MAINTENANCE OF HEALTH BENEFITS

The Town will maintain group health insurance coverage for an employee on FMLA leave whenever such insurance was provided before the leave was taken, and on the same terms as if the employee had continued to work. The employee will make arrangements with the Town to pay their share of health insurance premiums while on leave. The Town may recover premiums it paid to maintain health coverage for an employee who fails to return to work from FMLA leave.

E. JOB RESTORATION

³ The Town's policy on the use of paid leave is subject to, and will be administered in accordance with, the Massachusetts Parental Leave statute.

Upon return from FMLA leave, an employee will be restored to their original job, or to an equivalent job with equivalent pay, benefits, and other employment terms and conditions, unless a job elimination or other change in circumstances has occurred during the leave period. Certain “key employees” (as defined under the FMLA) may be denied job restoration.

In addition, an employee’s use of FMLA leave will not result in the loss of an employment benefit that the employee earned or was entitled to before using FMLA leave.

F. NOTICE, CERTIFICATION AND STATUS REPORTS

Employees seeking to use FMLA leave are required, as appropriate, to provide to the Town:

1. NOTICE: Thirty (30) days advanced notice of the need to take FMLA leave when the need is foreseeable, otherwise as soon as is practicable.
2. MEDICAL CERTIFICATION:
 - (a) Medical certification supporting the need for leave due to a serious health condition affecting the employee or an immediate family member, or a covered service member with a serious injury or illness (the medical certification must be provided prior to the commencement of the leave or within 15 days after it is requested);
 - (b) Second or third medical opinions and periodic re-certifications (at the Town’s expense) if requested by the Town; and
 - (c) Medical certification and/or fitness for duty certification supporting the employee’s ability to return to work as requested by the Town, which the Town may request include a statement from a health care provider that the employee can perform all the essential functions of the job.
3. QUALIFYING EXIGENCY: Certification supporting the need for leave due to a qualifying exigency.
4. STATUS REPORTS: Periodic reports during FMLA leave regarding the employee’s status and intent to return to work as requested by the Town.

G. OTHER PROVISIONS

This Policy shall at all times be interpreted in a manner consistent with the Department of Labor’s Regulations pertaining to the Family and Medical Leave Act of 1993. The FMLA does not affect any other federal or state law that prohibits discrimination, nor supersede any state or local law that provides greater family or medical leave protection, nor does it affect the Town’s obligation to provide greater leave rights under a collective bargaining agreement or employment benefit plan, where applicable.

H. DEPARTMENTAL PROCEDURES

The Town’s department heads, with the approval of the Town Administrator, may establish their own procedures to implement this policy, consistent with the policy.

Intermittent Leave and Modified Work Schedules

Intermittent leave usage and modified work schedules may be granted when a spouse, child, or parent has a serious medical condition and is dependent upon the employee for care. When such changes to the work schedule are medically necessary, the employee and the department head may attempt to work out a schedule that meets the needs of the employee without unduly disrupting the operations of the workplace.

Payment for Holiday During Family or Medical Leave

Between periods of unpaid family or medical leave, if an employee returns to work for a period of less than two weeks, and if a holiday occurs during that return to work, no holiday pay or compensatory time shall be granted for that holiday.

Non-FMLA Family Leave Policy

Unless otherwise provided-for in a Collective Bargaining Agreement, Employment Agreement, or Contract, non-FMLA Family Leave shall refer to rules governing leave for care of family members that does not come under the jurisdiction of the Family and Medical Leave Act.

With the approval of the Town Administrator, a department head may grant to a full or regular part-time employee who has completed their probationary period, an unpaid leave of absence of up to 60 calendar days in a 12 month period, in order to care for, or to make arrangements for the care of a parent, grandparent, grandchild, sibling living in the same household, or child (whether or not the child is the natural, adoptive, foster, stepchild, or child under legal guardianship of the employee).

1. **Use of Paid Leave to Offset Unpaid Non-FMLA Family Leave**

When an employee has accumulated sick, personal, or vacation credits at the commencement of their family or medical leave, the employee must use such credits for which they may be eligible under the applicable rules.

2. **Notice Requirement for Non-FMLA Family Leave**

When possible, employees shall give at least 2 weeks' prior notice of their anticipated date of departure and notice of their intention to return to work, at the time of making the request for non-FMLA family leave.

3. **Intermittent Non-FMLA Family Leave**

Ten days of non-FMLA family leave may be taken in not less than one-day increments, with prior approval of the department head.

4. **Payment for Holiday During Non-FMLA Family Leave**

Between periods of unpaid Non-FMLA family leave, if an employee returns to work for a period of less than 2 weeks, and if a holiday occurs during that return to work, no holiday pay or compensatory time shall be granted for that holiday.

Funeral / Bereavement Leave

Employees may be paid for absences from their regularly scheduled work, in the event of a death in their immediate family, for up to three (3) contiguous days. Immediate family is defined as:

Spouse	Parent-in-law
Child	Stepchild
Parent	Stepparent
Sibling	

In the event of the death of a near relative not listed above, an employee may be paid for one (1) day of absence from their regularly scheduled work. Near relatives are defined as:

Aunt	Sibling-in-law
Uncle	Niece/Nephew
Grandparent	Grandchild
Grandparent-in-law	

Funeral time, with pay, for up to two (2) hours, is also allowed in order to attend the funeral of a friend or associate. Special or unusual situations should be referred to the Town Administrator for consideration; they will be handled on an individual basis. It is the responsibility of the employee to notify their supervisor of the death in the family or of a friend and of the need for time off. The supervisor and/or the Town Administrator will verify the time allowed.

Small Necessities Leave Policy

Pursuant to Massachusetts General Laws, eligible employees may take a total of twenty-four (24) hours of unpaid leave each year. This leave is in addition to the 12 weeks provided under FMLA. Further information may be obtained from the department head.

The following rules are administered in accordance with Massachusetts General Law Chapter 149, Section 52D.

Use of Small Necessities Leave

An employee shall be entitled to a total of 24 hours of unpaid leave during any 12-month period, if the employee has been employed for no less than 12 months prior to the leave request for the following purposes:

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

Use of Paid Leave to Offset Unpaid Small Necessities Leave

If an employee has accumulated sick, personal, or vacation credits at the commencement of their small necessities leave, the employee may use such credits for which they may be eligible under the applicable rules. The Act does not require employers to provide paid sick leave or paid medical leave in any situation where the employer would not normally provide such paid leave.

Notice Requirements for Small Necessities Leave

At least seven (7) days in advance, the employee shall submit to the department head a written notice of their intent to take small necessities leave and the date and expected duration of the leave. If seven (7) days' notice is not possible, the employee shall give notice as soon as practicable.

Certification

Prior to the commencement of the small necessities leave, the employee must complete and sign a certification form, available in the Town Administrator's office, that documents the use of the small necessities leave policy.

Parental Leave

All full-time employees are eligible for eight (8) weeks of parental leave pursuant to General Laws Chapter 149, section 105D for the birth or adoption of a child under the age of 18, or under 23 if the child is mentally or physically disabled. The leave shall be unpaid; however, employees may use accrued paid sick vacation, or personal time, concurrently with the parental leave as provided in Section 105D. Any two employees of the Town shall only be entitled to an aggregate of up to 8 weeks of parental leave for the birth or adoption of the same child.

Employees should provide two (2) weeks' written notice of their anticipated date of departure and intention to return, or provide notice as soon as practicable if the delay in providing notice is beyond their control.

Military Leave

The Town will provide leave in accordance with the Uniform Services Employment and Reemployment Rights Act (USERRA). An employee who is a member of the National Guard or United States Military Reserve Unit and who may be called upon for Reserve training or is called upon to serve due to an emergency, shall be granted temporary leave in accordance with state and federal laws for a maximum period of five (5) years. The Town will pay the employee the difference between their regular salary and the payment received for military service up to a maximum of 10 working days in a calendar year. Any additional time will be on an unpaid basis, in accordance with the unpaid leave policy. An employee may elect to use paid vacation in lieu of unpaid leave.

Jury Duty or Court Appearance

An employee who is called to jury duty or subpoenaed as a witness in a case pertaining to Town business will be granted leave time. During this leave, the employee will be paid the difference between their regular salary and the payment received for serving as a juror or a witness. Employees must provide a copy of the jury summons, subpoena, or court order to their supervisor when they receive the document, so that arrangements can be made for necessary pay adjustments. If an employee is relieved of jury duty responsibility before the end of a workday, they should return to work. Upon receipt by the employee of the Juror Service Certificate, a copy must be provided to the supervisor to verify the jury service.

Unpaid Leave

An employee may receive unpaid leave when requested in writing and approved by the department head and Town Administrator. The maximum total unpaid leave in any 12-month period shall be sixty (60) calendar days. No benefits will accrue during unpaid leave for more than one week. However, an employee may continue under the group insurance program during unpaid leave, provided that the employee pays the full premium for such coverage.

OPERATIONAL RULES

A. Rest Periods

Full-time employees are allowed to take a 10-minute paid "rest" break from work each morning and afternoon, subject to operational needs. This break may be taken when it is convenient for the workflow in the department.

Service departments may not be able to schedule a specific time for employee "breaks." Employees will be advised by their supervisors of the "break" schedule in their individual department.

B. Lunch Breaks

All employees who work more than (6) hours in a day must take a 30-minute unpaid lunch break each day. This break should be scheduled with the approval of the department head.

C. Workplace Delayed Openings, Early Closing & Unscheduled Closures

1. Delayed Openings & Early Closures. Employees will not be charged vacation, sick, compensation, or personal leave time for delayed workplace openings or early workplace closures unless the employee had previously approved time off.

For example, an employee is on vacation for the week Monday through Friday, inclusive. On Tuesday of that week, the municipal office has a delayed workplace opening of two (2) hours. The employee would be charged a full day of vacation time for that Tuesday, with the delayed opening.

2. Unscheduled Closed Offices. Employees shall not be charged vacation, sickness, compensation, or personal leave on days the employee's workplace is closed for a full or half day.

For example, an employee is on vacation for the week Monday through Friday, inclusive. On Wednesday of that week, the municipal office is closed due to a snowstorm. The employee would be charged four (4) days' vacation leave and one (1) day paid for the inclement weather.

The municipal office must be closed a minimum of four (4) hours to be credited time. Offices which are closed four (4) to six (6) hours would be considered a half (1/2) day. Offices which are closed more than six (6) hours would be considered a full day.

If a municipal office is closed for less than four (4) hours an employee would not be credited time; it is considered a delayed opening or early closing.

For example, an employee is on vacation for the week, Monday through Friday, inclusive. On Wednesday of that week, the municipal office has a delayed opening of two (2) hours. The employee would be charged a full day of vacation time for that Wednesday, with the delayed opening.

3. Non-Workday Closure. If a municipal workplace has an unscheduled closure, on a particular day that an employee is not scheduled to work, that employee is not entitled to any time off in lieu of that workplace closure. For example, if an employee works Monday through Thursday, and on Friday, the employee's workplace is closed due to inclement weather, the employee is not entitled to time off in lieu of that workplace closure.

D. Gifts and Gratuities

For information about extra payments, gifts, or privileges pursuant to Chapter 268A of the Massachusetts General Laws (the Conflict of Interest Law), please refer to the "Town of Dudley Professional Conduct Policy," listed as Addendum B to this handbook.

E. Dress Code

The Town of Dudley office employees are requested to adhere to this policy recommendation to provide a consistent dress code throughout the Town Hall. It is important to foster a professional atmosphere within the Town Hall and in dealing with citizens of Dudley.

- Staff are expected to dress in a fashion appropriate for conducting business within the Town Hall. Department heads/the Town Administrator may choose to establish a dress code for public-facing departments that is more stringent than the requirements listed here.

Generally, however, employees are expected to dress in casual attire when less exposure to the public is expected, business casual attire when regular exposure to the public is expected and business attire for public meetings, seminars, forums, and events unless the day's tasks require otherwise.

Employees must always present a clean, professional appearance. Everyone is expected to be well groomed and wear clean clothing, free of holes, tears, or other signs of wear.

From time to time, the Town Administrator may establish a "casual dress day." Employees will be notified by

their department heads if any casual dress days are scheduled, and the Town Administrator will provide any necessary details.

F. Personal Telephone Calls

Town office telephone lines must be kept open for Town business. Excessive phone use for personal purposes is not permitted.

G. Workplace and Office Etiquette / Professional Courtesy

Some guidelines to maintain a positive and productive work environment include the following:

- Please be mindful of co-workers who may be distracted by loud conversations or meetings in the hallway. Sound carries in open spaces.
- Private and confidential matters should be discussed in appropriate office settings. Please respect other employees' time, space, and work. If a door is closed or a meeting is in process, or someone is on the phone, do not interrupt unless the matter cannot wait. Leave a note or check back later with the person.
- Employees are expected to be ready to work at their scheduled work time and for scheduled meetings. When unable to attend meetings, employees are expected to communicate with the respective party. Interactions and discussions are expected to be professional and cordial. Employees are expected to not attack, demean, or intimidate co-workers or committee persons. Employees are expected to be considerate of the Town officials. Employees should avoid using heavy colognes or perfumes or food with strong odors.

These key guidelines are common sense to promote professionalism, good judgment, courtesy, and respect for others.

H. Health and Safety Policy

The Town of Dudley is dedicated to providing a safe and healthy work environment for all of its employees. Departments shall follow operating practices that will safeguard employees, the public, and Town operations. The Town believes all accidents are preventable. Therefore, every effort will be made to prevent accidents and comply with all established safety and health laws and regulations applicable to Town operations. All employees shall cooperate with the Town on its health and safety programs and activities. Employees are expected to use common sense to avoid needless accidents and use appropriate safety equipment if indicated for the job being performed. Employees must immediately report to the department head any injury or any work condition that the employee believes could be hazardous.

Employees are expected to:

A. General Rules

- a. Comply with all safety programs, rules, regulations, procedures, and instructions that are applicable to job functions and conduct.
- b. Refrain from any unsafe acts that might endanger the employee, coworkers, and/or property.
- c. Use all safety devices and personal protective equipment provided for the employee's well-being.
- d. Promptly report all unsafe acts, hazards, incidents and near miss occurrences to the supervisor, regardless of whether injury or property damage was involved.
- e. Promptly report all injuries and suspected work-related illnesses, however slight, to the supervisor.
- f. Participate in safety meetings, training sessions, and safety audits as requested and

provide input into how to improve job safety.

- g. Notify the supervisor immediately of any changes in physical or mental condition or use of prescription drugs that may affect the employee's job performance or the safety of the employee or others.
- h. Be a safe worker. Help co-workers do their jobs safely. Report to work with a safe attitude.
- i. Do not visit, talk to, or distract another employee while they are operating machinery or while they are engaged in a work activity where the possibility of injury is high.
- j. Do not participate in horseplay, scuffling, pushing, fighting, throwing things, or practical jokes.
- k. Observe and follow all NO SMOKING signs and regulations.
- l. Use handrails on steps, elevated platforms, scaffolds, and other elevated areas.
- m. Assist others and ask for assistance in lifting and carrying heavy or awkward objects.
- n. Possession of firearms, ammunition, and explosives are prohibited while working.
- o. Possession and/or usage of alcohol or illegal drugs while at work are prohibited.

B. Clothing and Personal Protective Equipment

- a. Clothing: Wear safe and practical work apparel, suitable for job assignments. Any loose, torn, or ragged clothing should not be worn while operating machines with revolving spindles, shafts, or cutting tools.
- b. Shoes: Proper work boots or low-heeled, closed-toe shoes made of substantial leather or equivalent materials with heavy soles shall be worn.
- c. Jewelry: Do not wear rings or any form of jewelry or ornamentation when working around machinery or exposed electrical equipment.
- d. Head: Hard hats must be worn in all designated areas or whenever a head-hazard is present.
- e. Eyes: Safety glasses are required when working around operations exposing the employee to eye injuries. Goggles, helmets, and shields provide the maximum eye protection and must be worn when welding, cutting, grinding, using masonry or metal saws, or any similar situations. Contact lenses must not be worn when the potential hazards of liquids, dust, fumes, or vapors are present.
- f. Hands: Gloves shall be worn whenever handling objects or substances which could cut, tear, or burn the hands. Gloves should not be worn while operating machines which have rotating shafts or spindles or while using cutting tools.
- g. Special Needs: At times, special safety equipment and/or personal protective equipment may be needed. The supervisor will provide this equipment as needed and shall provide the necessary training.

C. Housekeeping

- a. Practice good housekeeping, keep all work areas, aisles, stairways, and any other means of egress clear and clean of all hazards.
- b. Store and/or return all parts, materials, tools, and equipment when finished with them, so as not to create a safety hazard.
- c. Place all trash and scrap in proper waste containers.
- d. Keep all work area floors clean, dry, and free of oils, grease, and liquids. Clean up all spills immediately.
- e. Store all tools, parts, materials, or equipment with protruding sharp ends or edges where personnel cannot accidentally bump into them.
- f. Equipment and materials are not to be stored in aisles or near exits.

D. Tools, Machinery & Equipment

- a. Inspect tools, machinery, and equipment prior to usage to ensure that they are in proper working condition. If found to be defective or damaged, they must be taken out of service

and repaired or replaced.

- b. Electric power tools and equipment must be double insulated or grounded when in use.
- c. All cords and hoses should be checked for damage or wear. If found to be defective, they must be either repaired properly or replaced.
- d. All power tools must have proper guards in place while in use.
- e. Hand and power tools should only be used for their intended purposes.
- f. All fueled power tools and equipment must be shut down while being refueled or serviced.
- g. No one shall ride in or on any equipment not specifically designed or adapted for the transportation of personnel.
- h. Do not operate or attempt to operate machines, tools, or equipment if not authorized or trained.
- i. Do not stand, walk, or work under loads suspended overhead.
- j. Do not attempt to bypass or default on any safety mechanisms.

E. Machine & Equipment Guarding

- a. Supervisors have the responsibility to see that guards are installed on equipment and machines where it is needed.
- b. Employees must report any malfunction of guards to their supervisor.
- c. Guards are installed for safety. No equipment or machine shall be used without its guard in place.
- d. Equipment or machines without guards in place shall be locked out until the guards are replaced or repaired.

F. Material Handling

- a. Know the approximate weight of the load and make sure equipment is rated to handle it. (All power equipment and rigging are rated to a safe working load. This rating is posted on the equipment. Never exceed the manufacturer's recommended safety ratings.)
- b. Lift heavy objects with leg muscles and not with back muscles. On average, do not manually lift any object heavier than 50 pounds.
- c. Ask for help as needed with lifting or moving heavy or bulky objects.
- d. All ropes, chains, cables, slings, and other lifting equipment must be inspected prior to each time they are used.
- e. Suspended loads must never be left unattended.

G. Tips for safe manual lifting

- a. Employees should have good footing, with feet about a shoulder-width apart.
- b. Bend at the knees to grasp the object.
- c. Keep the back as straight as possible.
- d. Get a good hold.
- e. Gradually lift by straightening the legs.
- f. Do not twist the back to turn. Move with the feet.
- g. When the object is too heavy or bulky to lift – GET HELP.
- h. When putting an object down, reverse the above steps.

H. Heavy Equipment

- a. Only trained, authorized operators are permitted to operate heavy equipment.
- b. Prior to operating equipment, the operator must test: the brakes, steering controls, warning lights/alarms, clutch, horn, fluid levels, and other devices for safe and proper operation.
- c. Never check the engine while it is running.
- d. Immediately report all defects to the supervisor. No defective equipment shall be used until corrected. Adjustments and repairs shall be made only by authorized personnel.
- e. Equipment should be kept clean and free of oils and grease.
- f. Employees shall operate all equipment at safe speeds and within rated load capacities.

- g. Passengers are not permitted on heavy equipment except for training purposes.
- h. Equipment must never be left unattended without first shutting off power, neutralizing controls, setting brakes, and lowering buckets.
- i. When travelling loaded or unloaded, keep the bucket as low as possible.

I. Office Areas

- a. Practice good housekeeping throughout the office areas. Do not leave materials or position telephone or electrical cords in aisles.
- b. Report or correct any obvious hazards as soon as they are discovered.
- c. Do not carry materials weighing more than 20 pounds. Ask for assistance, remember to utilize correct lifting techniques, as explained above.
- d. Close all files and desk drawers when not in use.
- e. Arrange contents of file cabinets to prevent tipping over when drawers are open. Store heavier materials in lower drawers. Do not open more than one drawer at a time to prevent tipping. Secure cabinets to each other as necessary.
- f. Report damaged furniture and broken equipment immediately to the supervisor. Do not use if unsafe.
- g. Do not leave paper cutters with blades in the open position.
- h. Take precautions to prevent materials from falling from the tops of filing cabinets or desks.
- i. Do not stand on chairs, desks, wastebaskets, boxes, or any other substitutes for an approved step stool or stepladder.
- j. Report slippery floors or walks immediately to the supervisor.
- k. Clean up spills from floors immediately.
- l. Position desks and file cabinets so drawers do not extend into walkways when opened.

I. Right-to-Know Policy

The Right-to-Know law provides certain rights to employees regarding the communication of information on toxic and hazardous substances. These rights include:

- a notice posted in the workplace informing the employee of their rights under the law;
- annual training for those who work with toxic substances.
- labels on all containers in the workplace of more than five pounds or more than one gallon, containing toxic or hazardous substances; and
- the right to obtain and examine the Material Safety Data Sheets (MSDS) for any toxic substances to which the employee is, may be, or has been exposed.

For more information, please ask the department head or contact the Town Administrator.

J. Smoking Policy

Smoking is prohibited in all Town buildings or Town property. This policy shall apply to all Town employees, other municipal officials, and visitors.

K. Employee Conduct Policy

Town employees shall avoid any action that discredits the Town, public officials, or fellow employees.

L. Children in the Workplace Policy

The Town understands that, on occasion (e.g., school closure; unavoidable childcare conflict), office employees may need to bring their children to work. Employees, however, are responsible for ensuring their children do not interfere with their work or the work of others. Employees should not plan on bringing children to work on a regular basis. Children are not allowed in any area where there is an increased risk to their safety (e.g., public safety, public works, town vehicle).

POLICIES

COMMUNICATIONS POLICY

Communications Policy Objective

The Town of Dudley believes that the key to the successful operations of a municipal organization is communication, both internal and external. The objective of this Communications Policy is to provide the organization with a guide to fulfilling the Town's mission through the proper dissemination of information. If you have questions that this guide does not cover, please contact the Town Administrator's Office at (508) 949-8001.

The Communications Policy includes the following (discussed in detail below):

- Media Policy
- Social Media Policy
- External Link Policy

Internal Communications

Department heads are in charge of communications within their departments. However, please utilize the Town's logo on all documents and ensure that the document is written in a professional manner. The Town Administrator's Office will review any document upon request.

External Communications

Official Spokesperson

The Chairman of the Board of Selectmen, or designated Member of The Board of Selectmen, is always the official government spokesperson for the Town of Dudley.

The Town Administrator is designated and empowered by the Board of Selectmen as the Chief Public Information Officer (PIO) and daily spokesperson for the Town of Dudley.

Under the direction of the Board of Selectmen, the Town Administrator can designate a Public Information Coordinator to carry out daily social media activities and coordinate media relations.

For daily public safety operations, at the direction of the Town Administrator, the following designated spokespersons are assigned:

Fire Department: Fire Chief or senior ranking officer as designated by fire chief.

Police Department: Police Chief or senior ranking officer as designated by police chief.

Highway Department: Highway Superintendent or Highway Commissioner (Selectmen)

When the Police or Fire Chief designates a spokesperson, it will be the responsibility of the Chief Officer to brief the spokesperson relative to this policy and encourage attendance at any related training to this policy.

The Town Administrator and independently elected Town Treasurer/Collector and Town Clerk will serve as the official spokesperson(s) for their respective offices.

Cultural Identity

All departments will identify as the Town of Dudley. Exceptions will be made for specific purposes, such as to meet grant-funding requirements. This includes advertisements, fliers, press releases, newsletters, etc. If your department has a specific need for utilizing the department's name for branding, please consult with the Town Administrator.

Example: "This meeting is sponsored by the Dudley Recreational Committee" should be "This meeting is sponsored by the Town of Dudley." This applies to all departments.

Press Releases and Press Statements

- Emergency releases will be addressed under **Emergency Notifications**.
- Public Safety releases are also addressed under **Public Safety**.

The Town of Dudley will utilize press releases to announce Town programs, services, events, etc. The Town will also utilize releases as a way to inform the public of certain topics. Designated Public Information Officers (PIO) will prepare, for review and distribution, all press releases to local, regional, and national media.

All persons except the Fire Chief, Police Chief, Town Clerk, and Treasurer/Collector must submit all press releases to be reviewed by the Town Administrator prior to distribution or release. A record of the review will be maintained and can easily be accomplished by using Town email to send a draft and reply with approval.

The Town of Dudley utilizes press releases to add clarity to a particular issue, topic or media story. Press releases will be issued by designated Public Information Officers under the guidance of the Town Administrator and/or Board of Selectmen.

When requesting a press release, please email the designated department PIO, or Town Administrator's Office, and submit the information to be released in detail. Please allow for an adequate amount of time prior to the need for the release; at least one week prior to the targeted media's submission deadline.

Media Inquiries/Interviews

All media requests for interviews for departments and staff will be handled through the Town Administrator's Office. If your department is contacted by a member of the press on a routine topic for your department, please contact your supervisor or department head for a protocol to respond and afterwards, follow up with the Town Administrator's Office.

On non-routine topics, please refer the reporter to the Town Administrator's Office, and a designee will work with your department on a response. Departments should consult with the Town Administrator's Office if they have questions regarding the release of sensitive or controversial information. In instances regarding the legality of releasing information, the department and the Town Administrator's Office will consult the Town Attorney. For additional guidance, please refer to the Town's Media Policy.

Editorial Board Meetings and Op-Ed Columns

At any time, Town of Dudley officials may meet with an editorial board of a publication to provide additional insight into a topic directly involving the Town. The Town Administrator's Office will assist with the logistics of setting up such a meeting. Town staff that are approached or who desire to write an editorial or opinion piece as a representative of Town Hall shall seek approval from the Town Administrator and work with the Town Administrator's Office. This ensures that the message stays consistent with the Town's views and mission. This section does not extend to independently elected officials.

Emergency Notifications

Fire and police responses to emergencies in the community will be reported directly to the media by a designated department spokesperson (PIO) with the approval of the Fire or Police Chief.

Reports relative to an incident will be limited to activities that fall within the scope of the reporting Chief.

Police Department releases concerning traffic advisories, investigations and other routine community relations activities may also be reported directly to the media. Any releases deemed to be of concern to the community will also be sent to the Town Administrator (PIO), including the Board of Selectmen.

Emergency Management releases concerning local hazard mitigation, evacuations, recovery operations and disaster planning will be reported directly to the media by a designated department spokesperson with the approval of the Fire

Chief/EMD. Any releases deemed to be of concern to the community must be shared with the Police and Highway and Town Administrator (PIO), including the Board of Selectmen.

Website

The Town of Dudley website will serve as a resource for residents, visitors, and businesses. The site will convey the Town's message while providing current and vital information. The website will be managed by the Web Administrator. However, each department will be responsible for ensuring that the information on their web page is current and accurate. Each department should review their web content on a regular basis. A calendar of events and meetings of community interest will be maintained on the site. All departments are required to provide the Town Administrator's Office with meeting schedules, calendars, event notifications, and community outreach and interest programs for publication on the site.

Presentations/Publications

The Town creates and distributes a variety of communication documents including, but not limited to, press releases, media advisories, brochures, PowerPoint presentations, annual reports, staff reports, newsletters, advertisements, posters, postcards, flyers, etc.

All presentations, publications, and items purchased with Town funds should bear the Town of Dudley logo and website address. Externally distributed publications must be reviewed by the Town Administrator or designee to guarantee that all publications representing the Town reflect a consistent message and image and to ensure that branding guidelines have been met.

Internally distributed publications must also bear the Town of Dudley logo and should be reviewed by the department head, or their designee, prior to distribution.

Use of Town Logo

The Town of Dudley logo shall be used on all Town publications, external communications, fliers, invitations, programs, posters, paraphernalia, and any item requiring a symbol of identity. When designing a publication or an item with the logo, please consult with the Town Administrator's Office.

Internal requests for camera-ready copies of the logo or the symbol should be made through the Town Administrator's Office. Scanned or modified copies of the logo or the symbol are prohibited. External organizations requesting the Town logo should be referred to the Town Administrator's Office. The Town does not output the logo to external organizations but will work with those who have an established partnership with the Town or are hosting an event in which the Town serves as a sponsor.

Use of the Town logo from non-partner organizations and copying images from the Town's website for personal or commercial use is strictly prohibited. If you see the Town's logo displayed in such a manner, please notify the Town Administrator's Office.

Citizen Inquiries

Departments should respond to citizen inquiries in a courteous and timely manner. This includes inquiries received by e-mail, telephone, web, or U.S. mail. Please notify the Town Administrator and your department director of inquiries of a sensitive nature.

Public Records Requests

All requests for public records should be forwarded to both the Town Clerk and Town Administrator's Office for an official response. Records requests for the Police Department shall be forwarded to the Chief of Police.

Advertising

The Town Administrator, or their designee, will approve in advance all paid advertising (print, broadcast, Internet, billboard, radio, etc.) This does not include paid advertising utilized for hiring purposes or advertising that meets a state statute. The Town will only advertise Town programs, services, or events in which the Town serves as a partner or a sponsor. This does not include non-profit, charitable events as approved by a vote of the Board of

Selectmen, local recreational or sporting activities, where a local academic or non-profit civic club or organization is involved, or sporting events where cheering for a state, regional or national team may be a source of local pride and comradery.

Photo Usage

The Town does not provide photo credit in its publications or postings. The Town will not post photos for which there is a noted copyright. If no copyright is noted, none will be assumed.

Email

To facilitate compliance with public records law, the Town requires all employees to use a Town of Dudley email address for all work-related correspondence. Town email should only be used to conduct Town business and should not be used for personal communication.

All members of the following boards/commissions/committees must use a Town of Dudley email address: Board of Selectmen; Finance, Appropriation, and Advisory Committee; Capital Improvement Planning Committee; Planning Board; Conservation Commission; Water/Sewer Commissioners. For all other boards/commissions/committees, the chairman can request a Town of Dudley email address, which will be assigned at the discretion of the Town Administrator.

MEDIA POLICY

Objective:

Effective communications with the media are critical to the Town of Dudley's ability to provide accurate and consistent messaging. Effective media relations best serve the Town by:

- promoting news, services, activities, and events of significance,
- expanding the general visibility of the Town, and
- ensuring that accurate information is conveyed to the public regarding incidents and issues of a controversial and/or sensitive nature.

General Procedures for Dealing with the Media:

The Chairman of the Board of Selectmen, or designee, is the official government spokesperson for the Town of Dudley. When speaking on behalf of the Town, the Town's position will represent the voted-upon and/or agreed-upon consensus position of all board members.

Where there is no clear majority consensus, the official position of the Town is that the matter remains "under consideration" or "deliberation" until a decision or consensus is reached and/or an official vote has been taken.

The final position of the Board of Selectmen is to be considered the final position of the Town of Dudley and therefore, the official position communicated on behalf of the Town of Dudley by its spokesperson. No statement, media post, press release made directly, or indirectly by any department PIO that falls under executive authority of the Board of Selectmen should conflict with, contradict or harm the position of the Town. When in doubt, department heads and PIOs will refer to the guidance "[Media inquiries/interviews](#)" found above.

A prepared statement that makes clear the position of the Board of Selectmen should be considered whenever a message or response to a controversial, litigious, or complicated issue needs to be relayed to the press. A prepared, official position statement also serves as guidance for all Town departments to remain in compliance with this policy. As such, an official position statement will be distributed to all Town departments when released to the press.

When the Chairman of the Board, or designee, is preparing to deliver a message to the media, the Town Administrator (PIO) will manage all communications among members of the board to avoid unintentional

Open Meeting Law violations.

The Town Administrator is designated by the Board of Selectmen as the Chief Public Information officer (PIO) of the Town of Dudley and daily spokesperson for the Board of Selectmen.

- All inquiries from the media should be referred to the department PIO.
- Depending on the topic, the Town Administrator or the department PIO may designate a department director to serve as spokesperson on a particular issue.
- In cases of critical significance to the Town, the Town Administrator will work with Town officials to develop a fact sheet to detail the situation and summarize the Town's position.
- In the event of a crisis or emergency situation, the Town Administrator or designated department PIO's will handle all contacts with the media and will coordinate the information flow from the Town to the public. In such situations, all departments should refer calls from the media to the Town Administrator's Office.
- Board of Selectmen members respond to media inquiries at their own discretion and unless designated herein or by vote of the Board of Selectmen, speak on their own behalf as members of the Dudley Board of Selectmen. Board members are asked to notify the Town Administrator when they have had contact with the media and are encouraged to work with the Town Administrator's Office when they receive advance notification of a media inquiry.

Since positive media solicitation is an integral element of the Town's communications program, any ideas for articles or pieces that would positively portray the Town should also be directed to the Town Administrator's Office. In a similar manner, the Town Administrator should be notified about negative occurrences that are likely to rise to the level of a news story.

Guidelines for communicating with the media when the issue is non-controversial and limited to the director's area of expertise:

- Obtain the name of the person calling, the media organization and, if available, the anticipated time of release of information in print or broadcast. This information should be included in the notification to the department PIO.
- Do not offer speculation or gossip. Do not answer a reporter's question with "no comment" instead; refer them to the Town Administrator's Office. Personal opinions should not be communicated. Please know that nothing is ever "off the record" and declare that statement is not supported by any law.
- Issues that should not be discussed with reporters include, but are not limited to:
 - legal issues,
 - personnel issues, and
 - a crisis or emergency.

Refer all such inquiries to the Town Administrator.

Written Communication with the Media:

Press Releases:

Unless otherwise noted in this policy, press releases shall be prepared by the department PIO and reviewed by the Town Administrator or designee prior to release.

- Staff liaisons to boards, commissions, or committees may prepare news releases publicizing specific Town events (date, time, place, etc.) after being reviewed by their respective departments. The releases will be forwarded to the Town Administrator for distribution.
- All press releases containing controversial or sensitive materials and/or matters relating to general public safety will be prepared by the department PIO and distributed to the Board of Selectmen, Town Administrator, Town Attorney, and the respective department director prior to release to the media.

- All written communications will be done in Associated Press (AP) Style, which is the accepted style of the media.

Public Safety:

Fire and police responses to emergencies in the community may be reported directly to the media by a designated department PIO with the approval of the Fire or Police Chief. Police Department releases concerning traffic advisories, investigations, and other routine community relations activities may also be reported directly to the media. Any releases deemed to be of concern to the community should also be copied to the Town Administrator, or designee, and the Board of Selectmen.

If an arrest, investigation, or criminal charge is brought against any employee of the Town of Dudley, or where it is reasonable to conclude that there may be litigation suffered by the Town resulting from any actions taken by any employee, elected or appointed official, or volunteer of the Town, there is an absolute requirement that the Town PIO (Town Administrator) serve as the PIO for the incident and remain involved in review of all information released to the media.

Where an injury is suffered by any employee, elected or appointed official, or volunteer while serving in an official capacity for The Town of Dudley, or while at work or on duty, specific information about the identity of the employee and the nature of the injury will not be released without the consent of the head of the employee's department and the Town PIO.

News or Press Release Distribution Process:

A department may request that the PIO issue a news or press release on its behalf, after providing them with all relevant information. The release will be sent to the requesting department for review and approval before distribution. Once approved, the department PIO will be responsible for distribution to the news media. The initiating department is responsible for sending copies to their personnel.

Media Distribution List:

News releases shall be sent automatically in electronic, PDF format to a list maintained by the Town Administrator's Office comprised of all interested, press-credentialed media. To be included in the Town of Dudley's media distribution list, please email a request to administrator@dudleyma.gov.

Other Publications:

All published reports, brochures, fact sheets, or any other printed material, should be sent to the both the Town Administrator's Office to be posted to the website and to the Town Clerk's office to be archived. It is the intent of this policy to maintain a robust, content-rich internet presence to the benefit of the public.

Calendar Announcements:

All Town meetings and Town-sponsored or partnered events should be reported to the Web Administrator or department designee (Selectmen's Executive Secretary), if applicable, for inclusion in the Town's calendar, which is shared with local media and citizen groups and is made available on the Town's website. Public information is a requirement of all departments, divisions, commissions, and boards.

Online Community Forums:

Town employees shall not represent the Town or its departments on any online community forum. Members of the Board of Selectmen, Boards, Commissions, or Committees who participate in an online forum shall do so under their name and not anonymously or through a pseudonym when the discussion may impact any Town operations.

Social Media

Objective:

To provide guidance and establish standards for utilizing social media sites to conduct Town business.

Responsibility:

- It is the responsibility of the Town Administrator's Office, in conjunction with the Web Administrator, to maintain the Town's official Internet presence via social media and networking sites.
- It is the responsibility of any Town department who wishes to engage in social media to coordinate their request with the Town Administrator's Office.

Definitions and Scope:

This policy covers social media tools including, but not limited to the following:

- Social media sites: Social media sites focus on creating and fostering online social communities. These sites offer various ways to interact including instant messaging, blogging and commenting, online forums, status updates, sharing of pictures and video, etc. (Example: Facebook)
- Blog: A website where a blog author posts information on specific topics. Readers can respond to articles by posting comments online. (Example: WordPress)
- Microblogging: A form of blogging that allows registered users to post short updates (140 characters or less). (Example: Twitter)
- Discussion Forums: An online bulletin board that may also be referred to as a discussion group or board, a message board or an online forum. On a forum, a registered user can post a message and receive responses to the message on the site.
- Photo and Video Sharing Websites: Sites that give users a method and location to store their digital images and videos and share them with others. Example: YouTube, Flickr
- Wiki: A web site that allows visitors to add, remove, edit, and change content with or without the need for registration depending on the settings. A wiki also allows for posting links to other web pages.

Town of Dudley employees are prohibited from participating in such forums as representatives or spokespersons for the Town of Dudley.

Policies and Procedures:

All official Town of Dudley social media platforms will be administered by the Town Administrator under the supervision authority of the Board of Selectmen. These platforms shall be used for the sole purpose of informing the public about business of the Town including news, programs, services, and events. In the absence of the Town Administrator, the department PIO, the Web Administrator, the Chairman of the Board of Selectmen, or designee (by default, the Executive Secretary to the Board), will administer all official social media sites.

Individual departments may not have or maintain independent pages/sites without submitting a request to the Town Administrator's Office. The Public Information Office will review the request to determine if a separate site should be created. If the determination is that it should not, the request will be forwarded to the Town Administrator for review.

As of the adoption of this policy, the following departments have been approved to maintain independent social media pages/sites:

Town of Dudley Police Department
Town of Dudley Fire Department

Any department with a social media account shall have all passwords associated with the site on file with the Town Administrator's Office.

Individual departments wishing to add content to official Town social media sites may submit a request to the Town Administrator. The Town Administrator's Office will determine if the post meets the policy guidelines.

For the Police and Fire Department, content that falls within the scope of public safety or emergency releases as described in this policy will not require review, nor will any other content that has received approval for distribution to the media/press.

The Town of Dudley website will remain the official location for content regarding the Town. Whenever possible, links within social media outlets should direct users back to the Town's website.

Direct messages and mentions requiring follow up communication will be treated as general correspondence and kept in accordance to retention schedules as determined by the Commonwealth of Massachusetts.

Each social media platform used by the Town of Dudley shall include the Town's mission statement and/or an introductory statement that clearly specifies the purpose of the site and provides the user with a link back to the Town's website. Branding should include, but not be limited to the Town's official logo and colors. The name and contact information posted should not contain a specific employee's name, but should be general to the Town of Dudley.

Posting/Commenting Guidelines

All postings made by the Town of Dudley on social media platforms will contain information and content that has already been published or broadcast in an official manner. The Town will not comment on other social media members' sites. All official social media postings by the Town will be done solely on the Town's social media sites or in response to postings made on the Town's social media sites.

Postings made on the Town of Dudley social media platforms will use a plural voice as you are representing the organization and not yourself. Refer all postings to the Town's website for additional information and not to a third-party site.

Confidential Town business shall not be disclosed on either the Town's social media sites or the personal social media site of a Town employee. In addition, all use of social media sites by elected and appointed officials shall be in compliance with the Commonwealth of Massachusetts open meeting laws.

The Town of Dudley reserves the right to remove any comments or postings that are in violation of this policy. Any participant of the Town's social media sites who violates this policy may be permanently blocked from the site. The Town may remove comments or materials when the comments are:

- Potentially libelous
- Factually inaccurate
- Politically biased
- Obscene or sexually explicit
- Hateful or mean spirited.
- Personal attacks, insults, profane, name calling or threatening.
- Confidential information that is posted without consent.
- Unsolicited promotions or spam

The Town does not provide photo credit in its publications or postings. The Town does not participate in chat functions, nor does it comment in online forums.

Additional Procedures:

YouTube (or similar website): Video content must first be approved by the Web Administrator or the Town Administrator and may only be placed on YouTube by the individuals. YouTube may be used for job recruitment, economic development, communication, community interest, public safety, and marketing purposes only.

Facebook (or similar website): Approved content will be posted to the Town's Facebook site by the Public Information Office or a department designee for a departmental Facebook page. Information will be static and refer to the Town's website. At limited times discussions may be used to garner input from residents. Those

discussions will be facilitated by the Public Information Office.

Request for New Social Media Site Usage:

All requests for new social media sites and services to promote Town business, services, or events must be submitted to the Town Administrator for review. Requests should be accompanied by an explanation of:

- The purpose of the social media site or service,
- Primary audience served,
- The reason internal or existing resources will not meet these needs, and
- A date range for the project (i.e. when will it launch, how long will it be in effect).

All content posted on Town of Dudley social media sites must comply with the Town's Social Media Policy, unless otherwise agreed upon between the requesting departments and the Town Administrator's Office. Employee or Town confidentiality will be maintained in accordance with all applicable laws and Town policies. If a question arises regarding the use or posting of confidential information on a social media site, the matter shall be referred to the Town Attorney for review. The information in question shall not be posted, or if already posted, shall be removed until an opinion is rendered by the Town Attorney.

Notwithstanding the opinion of the Town Attorney, the Town Administrator's Office and Board of Selectmen reserve the right to restrict or remove any Town information from any official Town social media site if the Town Administrator believes that the information does not serve the best interests of the Town.

All social media-based services to be developed, designed, managed by or purchased from any third-party source for use requires appropriate budget authority and approval from the Town Administrator in conjunction with the Information Technology Administrator. The requesting department will be responsible for all costs related to the purchase, maintenance, and support of third-party products.

Town Administrator's Office Procedures:

If a department does not agree with the determination of the Town Administrator's Office, they may make an appeal to the Town Administrator. The decision of the Town Administrator will be final. In addition to the administrators provided by this policy, the Town Administrator's Office may also determine/approve additional employee access to social media sites from Town computing equipment.

Responsibilities:

- It is the responsibility of employees and appointed and elected officials to understand the procedures as outlined in this policy.
- Designated administrators for Town social media sites will be trained regarding the terms of this policy, including their responsibilities to review content submitted for posting to ensure compliance with the policy.
- The Town Administrator will chair a Social Media Committee consisting of members of the Police Department, Fire Department, Administration Department, and Information Technology Department. The Committee will meet at least every six months to update and review policies and make recommendations to the Town Administrator regarding current trends and potential impacts on technology services infrastructure.

EXTERNAL LINK POLICY

Objective: To provide guidance for the posting of external links to the Town of Dudley website. Please use this policy as a reference when responding to requests from external organizations.

Dudleyma.gov is the Town of Dudley's Internet communication vehicle. The website is a resource for the public and provides information about Town programs, events, and governance. The website is maintained by the Web

Administrator.

1. The Town website may contain links to websites that are not administered by the Town of Dudley. These external websites are provided to further the mission of the Town through partnerships. The Town is not responsible for the content of these websites or for any internal links the websites may contain. The placement of these links on the Town's website does not mean that the Town endorses, warrants, or accepts responsibility for the content or use of the external website.
2. The Town conducts regular reviews of the external links on its site to confirm that the link still meets the original goal of furthering the Town's mission through partnerships.
3. The Town may refuse a request for including a link or delete a posted link at any time and without notice in accordance with this policy.
4. All external links featured on the Town's website must be consistent with the Town's website purpose, as stated herein. The external links must be authorized by the Town Administrator's Office. If a requestor does not agree with the determination of the Town Administrator, they may appeal the determination to the Board of Selectmen. The decision of the Board of Selectmen will be final.
 - a. Links to commercial vendors/businesses, media, public interest groups, private organizations, nonprofit organizations, and private individual sites are prohibited with the exception of those stated in subsection b.
 - b. Links to the following types of websites may be authorized if the websites are consistent with the purpose of the Town of Dudley:
 - i. Government sites, including Federal, state and local governments.
 - ii. Quasi-government organization sites that serve the Town of Dudley.
 - iii. Official sites of Town-sponsored or Town-partnered events or functions. (Sponsor means the Town has approved funding or support with either authorization from the Board of Selectmen or Town Administrator.)
 - iv. Sites that are required for a vendor to provide services in performing its contractual obligations to the Town of Dudley.
 - v. Sites that provide software plug-ins necessary for the user to access files on the connection (e.g. Adobe Acrobat).
 - vi. Links to research or data that supports a Town of Dudley program or activity.
 - vii. Charitable foundations or organizations that have been approved by the Town Administrator or Board of Selectmen and serve a local segment of the populations or have provided support to the Town of Dudley in the form of a donation of goods, services, or cash. Disclaimers will be used when necessary or advisable.

Request Procedures

1. A written request for a link must be submitted to the Town Administrator's Office for consideration.
2. The request must include a specific description of the website link requested and provide justification for the external link.
3. The Town Administrator's Office reviews the request and provides a response to the requestor within three (3) business days of receiving the request.
4. The Web Administrator will review links on a periodic basis and will remove any links that no longer comply with this policy within 10 business days of the review.

Authority

This policy has been voted and approved by the Dudley Board of Selectmen on October 16, 2017.

CONFLICT OF INTEREST POLICY

All employees of the Town are municipal employees and as such are governed by the provisions of Chapter 268A of the Massachusetts General Laws. This chapter provides minimum standards of conduct for all public employees and includes both civil and criminal penalties for the violation of such standards.

The purpose of the conflict-of-interest law is to ensure that public employees' private financial interests and relationships do not conflict with their public obligations to act objectively and with integrity.

Areas covered by the law include bribes, acceptance of gifts, acting on matters that involve your own or your family's business/financial interests, obtaining municipal contracts, misusing your official position, and representing private parties in Town matters.

In accordance with Massachusetts General Laws Chapter 268A, the Conflict-of-Interest Law, actions by municipal employees that conflict with public obligations and give rise to even the potential or appearance of betraying public trust are illegal. Therefore, it shall be the policy of the Town of Dudley to prohibit Town employees and other municipal officials from utilizing Town-owned facilities, equipment, or vehicles for private use.

This policy shall apply to all municipal employees and officials.

The office of the State Ethics Commission of the Commonwealth of Massachusetts enforces the law. Each employee must complete the yearly online State Ethics training.

OUR EXPECTATIONS

The Town of Dudley strives to:

- Circulate information that citizens and employees need to function effectively.
- Model good community leadership.
- Regard people with dignity, respect, and compassion.
- Be accessible and welcoming to Town residents.
- Maintain impartiality with local businesses, avoid potential conflicts of interest, and eliminate inappropriate influence.
- Act with truth and honor in our interactions with the Town residents, vendors and coworkers, observing common decency.
- Consider the consequences of our actions and shoulder responsibility for decisions.
- Always do the right thing.
- Amend errors quickly.
- Seek equitable resolutions to concerns or problems.
- Encourage community involvement.

SEXUAL HARASSMENT

The Board of Selectmen has adopted a formal policy concerning sexual harassment (see the Anti-Discrimination and Harassment Policy) that includes procedures for filing a complaint of sexual harassment and investigating the complaint.

The Policy includes information on contacting the Town Sexual Harassment Grievance Officers and the agencies responsible for enforcing state and federal laws concerning this type of harassment. Each employee is given a copy of the Sexual Harassment Policy and will be asked to read and sign the Policy on a yearly basis.

ALCOHOL & DRUG POLICY

1. Objectives

This is the Alcohol and Drug Policy of the Town of Dudley. The objectives of this Policy are:

1. to protect the safety, health, and well-being of the Town's employees,
2. to protect the public, and
3. to maintain a drug-free work force of dependable, efficient employees.

2. Policy

The Town recognizes that alcohol and drug use poses a direct and significant threat to the goal of a productive and efficient working environment. The Town is committed to having a drug and alcohol-free environment for all employees.

3. Statement of Prohibited Conduct and Activity

A. Prohibitions

1. The possession, conveyance, distribution, manufacture, sale, or use of any illegal drugs or controlled substances (including marijuana) or alcohol on Town property, operating a Town vehicle, or otherwise on Town business is strictly prohibited.
2. Reporting to work while under the influence of any illegal drug or controlled substance (including marijuana), prescription drugs (subject to Paragraph B of this Section below), or alcohol is strictly prohibited.
3. An employee found to have engaged in prohibited conduct may be subject to disciplinary action up to and including immediate termination.
4. Any vendor, contractor, or subcontractor in violation of this Policy, or who refuses to cooperate with the implementation of this Policy, may be excluded from Town facilities, workplaces and property.

B. Exception for Prescriptions

The use of legal drugs, prescribed by a licensed physician, that do not impair an employee's performance, will not result in disciplinary action. Some such prescription medications, however, can have a direct impact on vigilance, judgment, and coordination. Therefore, any employee who must use prescribed drugs during work, and whose performance or behavior could be affected by such use, must report this fact to their supervisor and provide acceptable medical documentation of such use, prior to commencing work. Failure to report such use or to provide medical documentation supporting use may subject the employee to discipline, up to and including termination.

There is, however, no exception from this Policy for medical marijuana. The conveyance, distribution, manufacture, sale, or use of marijuana on Town property, while operating a Town vehicle, or while on Town business is prohibited and may subject employees to disciplinary action, up to and including termination.

WORKPLACE VIOLENCE POLICY

The Town of Dudley is committed to preventing violence in the workplace. All employees should be treated with courtesy and respect. Conduct prohibited by this policy includes any physical assault such as hitting, pushing, punching, pinching, kicking, holding, impeding, or blocking the movement of another person. All types of firearms, explosives, martial arts weapons, chains, clubs, and any other objects carried to injure, harass or threaten are prohibited on Town property or while on Town business. Conduct that threatens, intimidates or coerces another employee or a member of the public will not be tolerated.

Any violation of this policy should be reported immediately to a Department Head.

DOMESTIC VIOLENCE LEAVE POLICY

It is the policy of the Town of Dudley to grant Domestic Violence Leave in accordance with M.G.L. c. 149 § 52E(the “Domestic Violence Leave Act”).

Purpose

To ensure all employees are aware of the requirements and procedures for requesting Domestic Violence Leave.

Definitions

“**Abuse**” under the Domestic Violence Leave Act is defined as attempting to cause or causing physical harm; placing another in fear of imminent serious physical harm; causing another to engage involuntarily in sexual relations by force, threat or duress, or engaging or threatening to engage in sexual activity with a dependent child; engaging in mental abuse, which includes threats, intimidation or acts designed to induce terror; depriving another of medical care, housing, food or other necessities of life; or restraining the liberty of another.

“**Domestic Violence**” under the Domestic Violence Leave Act is defined as abuse by a current or former spouse; a person with whom the victim shares a child; a person cohabitating with or who has cohabitated with the victim, a relative, or a person with whom the employee or family member has or had a dating relationship.

“**Abusive Behavior**” as defined under the Domestic Violence Leave Act includes any behavior constituting domestic violence, stalking, sexual assault or kidnapping.

“**Family Member**” for purposes of this Policy is defined as spouse, parent, step-parent, child, step-child, sibling, grandparent and grandchild; person in a substantive dating or engagement relationship and who reside together, persons having a child in common regardless of whether they have ever married or resided together, and person in a guardianship relationship.

Procedure

1. Employees will be permitted to take up to fifteen (15) days of leave from work in any twelve (12) month period, if each of the following conditions are met:
 - a. The employee, or family member of the employee, is a victim of abusive behavior.
 - b. The employee is using the leave from work to:
 - i. Seek or obtain medical attention, counseling victim services, or legal assistance.
 - ii. Secure housing.
 - iii. Obtain a protective order from a court.
 - iv. Appear in court or before a grand jury.
 - v. Meet with a District Attorney or other law enforcement official.
 - vi. Attend child custody proceedings; or
 - vii. Address other issues directly related to the abusive behavior against the employee or family member of the employee.
 - c. The employee is not the perpetrator of the abusive behavior against such employee’s family member.
2. Except in cases of imminent danger to the health or safety of an employee, an employee seeking leave from work under this Policy shall provide appropriate advance notice of leave.
 - a. If there is a threat of imminent danger to the health or safety of an employee or the employee’s family member, the employee shall not be required to provide advance notice of leave; provided, however, that the employee shall notify the Town within three (3) workdays that the leave was taken or is being taken pursuant to this Policy.
 - i. Notification may be communicated to the Town Administrator by the employee, a family member of the employee or the employee’s counselor, social worker, health care worker, member of the clergy, shelter worker, legal advocate or other professional who has assisted the employee in addressing the effects of the abusive behavior on the employee or the employee’s family member.

- b. In response to such notice, the Town may request documentation evidencing the need for leave consistent with this Policy. The Town shall not require, however, evidence of an arrest, conviction, or other law enforcement documentation in response to such notice. An employee shall provide such documentation within a reasonable period of time after the request. An employee satisfies a request for documentation under this Policy by providing any one of the following:
 - i. A protective order, order of equitable relief or other documentation issued by a court of competent jurisdiction as a result of abusive behavior against the employee or employee's family member.
 - ii. A document under the letterhead of the court, producer or public agency which the employee attended for the purpose of acquiring assistance as it relates to the abusive behavior against the employee or employee's family member.
 - iii. A police report or statement of a victim or witness provided to police, including a police incident report, documenting the abusive behavior complained of by the employee or the employee's family member.
 - iv. Documentation that the perpetrator of the abusive behavior against the employee or the employee's family member has admitted to sufficient facts to support a finding of guilt of abusive behavior; or has been convicted of or has been adjudicated a juvenile delinquent by reason of, any offense constituting abusive behavior, and which is related to the abusive behavior that necessitated the leave under this Policy.
 - v. Medical documentation of treatment as a result of the abusive behavior complained of by the employee or employee's family member.
 - vi. A sworn statement, signed under the penalties of perjury, provided by a counselor, social worker, health care worker, member of the clergy, shelter worker, legal advocate or other professional who has assisted the employee or the employee's family member in addressing the effects of the abusive behavior; or
 - vii. A sworn statement, signed under the penalties of perjury, from the employee attesting that the employee has been the victim of abusive behavior or is the family member of a victim of abusive behavior. Such sworn statements will be maintained in the employee's record by the Town Administrator only for as long as required to decide as to whether the employee is eligible for leave.
 - c. If an unscheduled absence occurs, the Town will not take any negative action against an employee if the employee, within thirty (30) days from the unapproved absence, or within 30 days from the last unapproved absence in the instance of consecutive days of unapproved absences, provides any one of the documents listed in paragraph b. (i)-(vii) above to the Town Administrator.
 - d. All information regarding Domestic Violence Leave will be kept confidential and not disclosed, except to the extent that the disclosure is allowed under the Domestic Violence Leave Act.
- 3. Domestic Violence Leave is unpaid leave, and employees are not required to exhaust their paid leave (e.g., vacation, personal, sick) prior to taking Domestic Violence Leave. Employees may, at their discretion, use accrued (as above) leave to be paid while on Domestic Violence Leave.
 - 4. While on Domestic Violence Leave, the employee will be responsible for their share of the following withholdings (where applicable): medical, dental, life insurance, long and/or short-term disability, and other voluntary withholdings.
 - 5. The employee, upon return from leave, will be returned to the same or an equivalent position in accordance with the conditions provided for such reinstatement under applicable law.

GRIEVANCE POLICY

The Town of Dudley recognizes the importance of addressing employee issues and to that end establishes a

grievance policy. This grievance policy shall address only alleged violations of this Employee Handbook.

A “grievance” for the purposes of this policy shall mean any actual dispute arising as a result of the application or interpretation of one or more express terms of this Employee Handbook.

In most cases, an employee should make every effort to resolve a potential grievance with their department head or the person making the decision at issue informally. The majority of potential grievances can be handled this way. If an informal discussion does not resolve the problem, the following procedures should be followed:

The Employee will submit in writing to their department head an account of the alleged violation of this Employee Handbook. The Department Head should issue a written response within seven (7) working days of receiving the notice of grievance.

If the department head’s response does not resolve the problem to the satisfaction of the employee or no response is provided within seven (7) working days, the employee may appeal in writing to the Town Administrator within five (5) working days of the receipt of the response or the date on which it was due. The Town Administrator may schedule a meeting with the employee within ten (10) days of receipt of the appeal. Within 10 working days following the meeting, the Town Administrator should issue his decision with respect to the alleged grievance. The failure to issue a written decision by the Town Administrator shall constitute a denial of the grievance. The decision of the Town Administrator will be final and binding.

PROGRESSIVE DISCIPLINE POLICY

The Town of Dudley has adopted a progressive discipline policy to identify and address employee and employment-related problems. This policy applies to any and all employee conduct that the Town, in its sole discretion, determines must be addressed by discipline. Of course, no discipline policy can be expected to address each and every situation requiring corrective action that may arise in the workplace. Therefore, the Town takes a comprehensive approach regarding discipline and will attempt to consider all relevant factors before making decisions regarding discipline. The Town reserves its right to determine what level of discipline is necessary to each employee scenario.

Most often, employee conduct that warrants discipline results from unacceptable conduct or violation of the Town of Dudley’s policies, practices, expectations or procedures. However, discipline may be issued for conduct that falls outside of those identified areas. Equally important, the Town need not resort to progressive discipline, but may take whatever action it deems necessary to address the issue at hand. This may mean that more or less severe discipline is imposed in a given situation.

Potential discipline, depending upon the circumstances, may include a verbal counseling, verbal warning, written warning, suspension, demotion or termination. All discipline will be reduced to writing and maintained in the employee’s personnel file.

Again, while the Town will generally take disciplinary action in a progressive manner, it reserves the right, in its sole discretion, to decide whether and what disciplinary action will be taken in a given situation.

EMPLOYEE WORK STATION/WORK PRODUCT & CORRESPONDENCE POLICY

Section 1. Public Records

With few exceptions, e-mail created or received by an employee of the Town and records of Internet use are public records and thus subject to public access under the Public Records Law.

Section 2. Access by the Town

The Town has the right to monitor e-mail use by employees and to access and disclose all messages and images sent over its electronic mail system for any purpose. Employees should not put sensitive, private, or personal information in the communications systems and/or use these systems for personal communications.

PERSONNEL FILE POLICY

Your personnel file, which is located in the office of the Town Administrator, contains information regarding your employment with the Town. This file will be kept confidential. You should notify the Town Administrator promptly of any changes in your status, such as a change of name or address, so your personnel file can be kept up-to-date. Employees may inspect their personnel files upon request to the Town Administrator in accordance with Mass. Gen. Laws c. 149, § 52C.

ANTI-NEPOTISM POLICY

Section 1: Purpose

The Town of Dudley prohibits hiring individuals based solely on personal friendships or family members. Such conduct may also be a violation of the Conflict-of-Interest law.

Section 2: Definitions

Cronyism: is partiality to long-standing friends, or the practice of favoring one's close friends, as exemplified by appointing a friend to a position of authority, regardless of their qualifications.

Family Members/Relatives: Employee's spouse, domestic partner, sibling, parent, stepparent, children, stepchildren, in-laws or any other member of the employee's household.

Nepotism: shall be defined as the hiring of friends or family members based on those personal relationships regardless of their qualifications.

Section 3: Massachusetts Policy for Conflict-of-Interest Law"

The appearance of a conflict of interest will often be created when a public employee's personal interests or relationships overlap with their public obligations. The Standards of Conduct (sec.23 of the conflict law) provides a general code of ethics for all public employees and officials when faced with this overlap of private interests and official responsibilities. Public officials and employees must avoid conduct that creates a reasonable impression that any person can improperly influence or unduly enjoy their official favor, or that they are likely to act or fail to act because of kinship, rank, position or undue influence of any party or person. A reasonable impression of favoritism or bias may arise when a public official acts on matters affecting a friend's, a business associate's, or a relative's financial interest.

Section 4: General Provisions

The Town of Dudley does not hire individuals based on nepotism.

The Town does not condone or support cronyism or nepotism as a basis for employment with the Town of Dudley.

The Town of Dudley is an equal opportunity employer.

Section 5: Application

1. The Town of Dudley, Massachusetts will consider any family member of a Town employee for employment if the applicant possesses all the qualifications for employment.
2. Family members will not be hired if their employment would:
 - a. Cause either direct or indirect supervisor/subordinate relationship with a family member; or
 - b. Create an actual conflict, or the appearance of, a conflict of interest.
3. Employees who marry or become members of the same household may continue employment as long as there is not:
 - a. A direct or indirect supervisor / subordinate relationship between the employees; or
 - b. An actual conflict of interest or the appearance of a conflict of interest.
4. In the case one of the above situations does occur, the Town of Dudley will allow either of the affected members to apply for a transfer. If accommodations of this nature are not feasible, the employees will first be permitted to determine which of them will resign. If no agreement can be reached by the two affected employees, the Town of Dudley will decide on the termination of the affected member.

COMPUTER & NETWORK USAGE POLICY

Section 1. Purpose

This document constitutes a Town-wide policy intended to allow for the proper use of all the Town of Dudley computing and network resources, effective protection of individual users and proper management of those resources.

Access to networks and computer systems owned or operated by the Town require certain user responsibilities and obligations and is subject to Town policies and local, state, and federal laws.

Appropriate use should always be legal and ethical. Users should also demonstrate respect for intellectual property; system security mechanisms; and freedom from intimidation, harassment, and annoyance.

Appropriate use of computing and networking resources includes authorized research, communications, and official business of the Town.

Section 2. Authorized Users

Authorized users are current staff of the Town and individuals connecting to our public services (assessor's public computer, library public computers, etc.). In addition, a user must be specifically authorized to use a particular computer or network resource by the Town (i.e. computer technician, consultant, vendors, etc.).

Section 3. Individual Privileges

No employee may use the Town's computers or networks to harass another person. Intentionally using the computer to annoy, harass, terrify, intimidate, threaten, offend, or bother another person by conveying obscene language, pictures, or other materials or threats of bodily harm is considered harassment and will be dealt with in accordance with the Town's harassment policy.

Section 4 Individual Responsibilities

Each member of the Town's staff is responsible for their actions. It is important to verify that any digital information received is from a reliable and trusted source. Appropriate precautions for managed systems include performing regular backups (if you are not on the server), controlling physical and network access, using virus protection software, and keeping any software installed (especially anti-virus and operating system software) up to date with respect to security patches (automatic Microsoft updating should be setup).

Section 5. Sharing of Access

Computer accounts, passwords, and other types of authorization are assigned to individual users and must not be shared with others. You are responsible for any use of your account. Authorized users may not otherwise configure software or hardware to intentionally allow access by unauthorized users.

Section 6. Termination of Access

When an authorized user changes positions or responsibilities within the Town, the department head responsible for initiating that change in status must coordinate with the MIS Director to ensure that access to Town resources is appropriate for the change. An individual may not use facilities, accounts, access codes, privileges, or information for which they are not authorized.

In the case of termination of employment, the Town has the authority to require any passwords and/or access codes from the employee required to access their computer accounts. All previously setup access authorizations will be suspended within 24 hours of said termination.

Section 7 Attempts to Circumvent Security

Users are prohibited from attempting to circumvent or subvert any systems security measures. This section does not prohibit use of security tools by personnel authorized to use them.

Harmful activities are prohibited. Examples include, but are not limited to: IP spoofing; creating and propagating viruses; port scanning; disrupting services; damaging software, data or equipment; streaming music and games; and on-line gambling. These are all strictly prohibited.

Section 8. Use of Copyrighted and Licensed Information and Materials

Users are prohibited from using, inspecting, copying, storing, and redistributing copyrighted computer programs and other material, in violation of copyright laws. No software may be installed, copied, or used on the Town resources except as permitted by the owner of the software. Software subject to licensing must be properly licensed.

Section 9. System Administration Access

The MIS director or an individual authorized by the MIS director (i.e., the person responsible for the technical operations of the computers and computer network) may access users systems and files for the maintenance of networks and computer systems.

Section 10. Monitoring of Usage

Users should also be aware that their use of the Town's computing resources are not private. The normal operation and maintenance of the Town's computing resources require the backup and caching of data and communications, the logging of activity, the monitoring of general usage patterns, and other such activities that are necessary for maintaining network availability and performance. While the Town does not routinely monitor individual usage of its computing resources, it reserves the right to access and monitor the Town's computer workstations, network and related infrastructure.

Section 11. Suspension of Individual Privileges

The Town may suspend computer and network privileges.

Section 12. Important Reminders:

- Do NOT open any suspicious emails, as new viruses are found every day.
- Be careful which websites you visit, as spammers will attach pop-ups to your computer address.
- NEVER listen to a radio station, or view or download videos. These leave the network ports open, which increases the vulnerability for all users. In addition, this utilizes A LOT of bandwidth which will slow down everyone's processing time.
- For better security: consider changing your passwords on the network.
- Do not use screen savers except the Windows default settings.
- Space on the network server is backed up nightly; it has a firewall, which has improved security over individual P.C.'s. If users continue **not** to utilize space on the server, those users are responsible for backing up their computers daily.
- Do not bring in any software or files from home or from other individuals, as they may contain viruses, and it is illegal to copy most software.
- Refrain from sending chain letter emails, as many of them contain viruses, and some can be considered a form of harassment.

NOTE:

Information on the Town of Dudley's computer system – including incoming and outgoing email, downloaded files and Web browser histories – is not private and may be accessed, reviewed, disclosed and monitored at the discretion of the Town at any time without notice. Further, such communications are presumptively a public record.

OPEN DOOR POLICY

If any employee wishes to come before the board, they may request to be placed on the agenda for the next

meeting. However, even with this open-door policy, the employee should first discuss their concern with his/her supervisor or the Town Administrator to resolve the matter. The Town Administrator will decide, based on the nature of the complaint, whether the employee will be placed on the agenda to resolve personnel or legal matters.

Administrative requests/changes should go through the employee's department head. Whether it be a change in your job description, title, or any other matter, the department head should be aware of just what the employee is asking for and why. If no solution is reached, then you should contact the Town Administrator.

PAPER REDUCTION POLICY

In an effort to avoid waste, reduce costs, save time and be better informed in a timely manner, it is the policy of the Town to eliminate the use of paper whenever possible. To assist in achieving this goal, any correspondence that would generally be copied or reproduced on paper and distributed will be distributed electronically.

All documents sent electronically will be subject to compliance with State, Federal and/or local laws and Dudley IT policies.

It is the belief of the Town that this is a green initiative that will have many financial, operational, and environmental benefits to the Town.

Non-business visitors should be on a limited basis during working hours. Due to safety and liability concerns, children will not be permitted in offices during working hours. The lunch break is the most appropriate time for personal visitors to see employees at work. Visitors may join employees in the employee lounge/cafeteria during lunch break. Personal packages such as flowers or birthday balloons may be delivered to the individual departments after first stopping at the Administrator's office.

CELLULAR TELEPHONE POLICY

Purpose: The purpose of this policy and its procedures is to provide guidelines to employees regarding the use of Town-issued cellular phones required for the purpose of conducting Town business and to provide for procurement processes and reimbursement procedures.

Policy: The Town is committed to providing tools and equipment that enhance the employee's ability to perform all job functions effectively. Cellular phones provide those employees with the ability to perform the functions of their duties in a much more efficient manner. Therefore, Town management requires certain employees and department heads to be equipped with cellular phones as a condition of employment. Town business is any use in the course of performing specific job-related duties on behalf and for the benefit of the Town of Dudley.

Use of Cellular Phones: Cellular phones are issued for the purpose of conducting Town business in an efficient manner, and unless otherwise authorized, Town-issued phones must be used only for business purposes. Cellular transmissions are not secure and employees should use discretion when relaying confidential information.

Issuance: The Town Administrator/Chief Procurement Officer will approve cellular phone contracts. All employees will be required to sign the Cellular Phone Use Acknowledgement Form and agree to abide by its requirements and this policy.

Invoice Review and Payment: Cellular phone invoices should be reviewed for accuracy by the department head before approving payment. Any discrepancies, errors or fraudulent use should be documented and dealt with appropriately and effectively by the employee and department head.

The Town recognizes that occasional personal use of cellular phones may be necessary. Employees that are issued cellular phones will be reimbursed for occasional personal use as follows: the Town will pay the maximum monthly minutes. The employee will pay for any minutes and charges over the contracted monthly amount (minutes or dollars). Additionally, other direct costs associated with personal calls (i.e., directory assistance, long distances, etc.) will be the direct responsibility of the employee.

Personal Cell Use for Town Purposes: The Town recognizes that occasional use of personal cellular phones may be necessary. Employees who use their personal cell phone for Town business will be reimbursed for any additional above their monthly fee, if applicable, or other direct costs associated with Town calls (i.e., directory assistance, long distances, etc.) in the performance of the employees' duties.

Safety Guidelines: Employees must adhere to all federal, state or local rules and regulations regarding the use of cellular phones while driving. Accordingly, employees must not use cell phones if law, regulation or other ordinance prohibits such conduct. If cell phone usage is not prohibited in a particular area, employees are encouraged to exercise caution if required to use the phone while driving. If possible, employees should seek a safe alternative and complete their call. Employees are strongly encouraged to pull off to the side of the road and safely stop the vehicle before placing or accepting a call or to facilitate note taking during a conversation. Telephone calls that are made or received while driving should be kept brief. If it appears the conversation will be prolonged, the employee should either pull to the side of the road or inform the call that the call will need to be completed when the employee is no longer driving. If possible, the employee should have a passenger dial the telephone number for them or wait to place the call until they are no longer driving.

Special care should be taken in adverse driving conditions. Cell phone usage is discouraged when the employee is driving on an unfamiliar road, if the traffic or weather conditions are poor, or if the employee knows the telephone conversation is likely to become heated, emotional, or intense.

At all times, the employee's first responsibility is safety. Employees who are charged with a traffic violation resulting from the use of their cellular phones while driving will be solely responsible for all liabilities that result from such actions.

When an employee stops to make a call, they should take extra precautions, as parked callers may become victims of accidents or theft. Take precautions to protect yourself, your vehicle and all belongings from theft and vandalism.

All Town-issued cellular phones are the property of the Town of Dudley. Employees may be financially responsible for the loss, damage, or failure to return assigned property.

See the next page for Cellular Telephone Use & Acknowledgement Form.

CELLULAR TELEPHONE USE & ACKNOWLEDGEMENT FORM

Employees who have Town-owned cellular phones and accessories are responsible for proper care of the equipment. All Town-issued cellular phones and accessories are the property of the Town of Dudley. Employees may be financially responsible for loss, damage, or failure to return an assigned cellular phone. The use of cellular phones to transmit or receive inappropriate communication is strictly prohibited. Inappropriate communication includes, but is not limited to, discriminatory, hostile, suggestive, obscene, harassing, annoying or otherwise unsuitable language and content. Cellular transmissions may not be secure and employees should use discretion when relaying confidential information. Employees are encouraged to exercise caution if required to use the phone while driving. Whenever possible, employees should seek a safe alternative and complete their call. The assignment of a cellular phone to an employee may be withdrawn at any time at the discretion of the department head or Town Administrator.

ACKNOWLEDGEMENT:

I hereby acknowledge that I have read and understand the Town's policy regarding the use of cellular phones, and agree to all of the provisions specified in this Policy.

Signature of Employee

Date

Printed Name of Employee

Department Head

Date

PERFORMANCE EVALUATION POLICY

In order to improve communications and overall performance of Town departments, each employee will participate in a bilateral performance evaluation on a periodic basis.

PROCEDURE

1. Each employee will be evaluated at least once each year according to the instructions on the “Town of Dudley Employee Performance Evaluation” Form. New employees should be evaluated within the first 90 days worked on the job, and then at the regular time each year.
2. The Assistant Town Administrator will notify departments of the timing of performance evaluations. The Assistant Town Administrator will also send out all required materials. Each department should designate a supervisory person or person to be responsible for evaluating employees’ performance.
3. Performance Evaluations must be returned to the Town Administrator when complete. Access to Performance Evaluation Forms is confidential and are restricted to the employee, supervisor, Town Administrator and staff (for record-keeping purposes only).
4. It is the responsibility of the Assistant Town Administrator to monitor compliance with this policy. The Town Administrator may offer assistance to departments or provide training when needed to ensure the performance evaluation program runs smoothly.

MOTOR VEHICLE USE POLICY

Purpose: The purpose of this policy is to set the rules for the use of Town vehicles assigned to Town personnel.

The Town of Dudley provides Town-owned vehicles to municipal employees who require a vehicle for the ordinary and necessary discharge of their job functions and for occurrences to protect and preserve public safety, health and welfare.

Application: This policy shall apply to all municipal employees, except or unless otherwise provided, specifically, in an individual employment contract or collective bargaining agreements (such as Town Administrator, Police Chief or Fire Chief).

“Motor Vehicle”, “Town Vehicle”, and “Vehicle” shall mean any Town-owned or Town provided vehicle assigned to an employee.

Official Use: Town motor vehicles assigned to municipal staff are for official and municipal use only.

Personal and Commuting Use: On a case-by-case basis, a motor vehicle may be assigned to a Town employee who may be permitted to commute to work from their residence as approved by the Town Administrator when allowing for the employee’s more efficient responsive to off-hours work obligations. The motor vehicle use is limited to travel to and from their respective residence and place of work or work-related functions/activities.

The vehicle should not be utilized for travel outside a direct commuting route for personal reasons, except in the case of incidental use or as otherwise provided, specifically, in an individual employment contract or collective bargaining agreements specifies the overall terms of use.

Heavy equipment cannot be assigned for take home commuting or personal use.

Standby Personnel: For vehicles assigned to standby personnel, the use is limited specifically to standby work, duties and such travel as is necessary to perform the established standby duties. All other rules apply.

Incidental Use: “Incidental use” shall be defined as follows:

The use of a Town vehicle by a Town employee, which is secondary to the vehicle’s official use or approved use or for personal use in which the personal use is collaterally related to the vehicle’s official use or approved use.

For example: an employee utilizes a Town vehicle to and from their residence to work. That employee may stop in a local business/store to purchase items (i.e. milk, bread, etc.) on their way home.

Incidental Use shall also permit an employee who serves in an emergency call back position to use the vehicle for business and personal use within the Town of Dudley.

Example: an employee may take their Town vehicle from their home to the library and back home again, if the employee is on call back status.

Example: an employee and their spouse may not take their Town vehicle from their home to the library and back home again, even if the employee is on call back status.

Incidental use shall not be defined from limiting an employee, in the line of duty or municipal service, from taking a Town vehicle out of state except for incidental passage through the out of state area.

Example: an employee traveling on Route 197 through the Quinebaug intersection to Route 131, back into the Town of Dudley.

Rules Governing Use:

1. Municipal motor vehicles generally must have the Town seal affixed on the drivers and passenger side doors and may only be used for legitimate municipal business.
2. Municipal motor vehicles will not be used to transport passengers who are not directly or indirectly related to municipal business. Passengers shall be limited to Town employees and individuals who are directly associated with Town work activity (committee members, consultant, contractors, etc.). Family members shall not be transported in Town vehicles.
3. Motor vehicles should contain only those items for which the vehicle is designed. The Town shall not be liable for the loss or damage of any personal property transported in the vehicle.
4. Employees are expected to keep municipal vehicles clean and to report any malfunctions or damages to their supervisor immediately.
5. Employees assigned vehicles for commuting purposes are expected to park such vehicles in safe locations.
6. Employees must wear seatbelts as required by state law.
7. Employees may not operate municipal vehicles under the influence of alcohol, illegal drugs, or prescription drugs or medications, which may interfere with effective and safe operation.
8. Employees who operate municipal vehicles must have a valid motor vehicle license issued by the state of their current residence and may be required to provide proof of valid motor vehicle license every six (6) months, or more frequently if necessary.
9. Employees driving municipal vehicles shall obey all applicable traffic and parking regulations, ordinances and laws.
 - a. Employees who incur parking or other fines in municipal vehicles will be personally responsible for payment of such fines.
 - b. Employees who are issued citations for any offense while using a municipal vehicle must notify their supervisor immediately when practicable, but in no case later than 24 hours.
10. No employee may use a municipal vehicle for out of state travel without advance approval of the Town Administrator.
11. All vehicles shall be identified with the Town seal and Department, as applicable.

Taxes: Employees authorized to commute in a Town vehicle may be subject to imputed income tax

regulations as set forth by the Internal Revenue Service, which considers a certain portion of the vehicle use to be income for the purpose of income taxation.

Waivers: The Town Administrator may approve or waive one or more of the provisions of this policy.

WAGE AND HOUR POLICY

1. INTRODUCTION

The Town follows the Fair Labor Standards Act and Massachusetts Wage and Hour laws as applicable to municipalities.

2. OVERTIME

In accordance with the Fair Labor Standards Act, non-exempt employees shall be paid overtime for hours worked in excess of 40 hours per week, by mutual agreement of both employee and Hiring Authority/Supervisor, prior to any hours actually being worked. The calculation of overtime includes hours actually worked, not sick, vacation, or any other leave time or holiday leave hours.

All work that would result in overtime must have prior approval and shall be charged to the project requiring extra time.

3. COMPENSATORY TIME FOR NON-EXEMPT EMPLOYEES

In accordance with the FLSA, non-exempt employees may request compensatory time for hours worked in excess of 40 hours per week. Such requests shall be subject to the approval of the employee's supervisor. The calculation of compensatory time includes hours actually worked only.

Compensatory time must be used within 30 days of acquiring said time unless a longer period of time is approved in writing by the supervisor and/or Appointing Authority.

PREGNANT WORKERS FAIRNESS ACT POLICY

1. PURPOSE AND SCOPE

The purpose of this policy is to provide notice to all employees of their right to be free from discrimination due to pregnancy or a condition related to pregnancy, including the right to reasonable accommodation for conditions related to pregnancy in accordance with the Pregnant Workers Fairness Act (the "Act"). The Town does not discriminate on the basis of pregnancy or pregnancy-related conditions. This policy applies to all Town employees.

2. GENERAL POLICY REGARDING PREGNANCY AND PREGNANCY RELATED CONDITIONS

The Act makes it unlawful for an employer in Massachusetts to discriminate against an employee due to pregnancy or a condition related to pregnancy including, but not limited to, lactation or the need to express breast milk for a nursing child.

The Town makes all employment decisions, including the hiring of applicants, without regard to pregnancy or pregnancy-related conditions.

The Town will provide reasonable accommodations, upon request, for pregnancy or pregnancy related conditions, unless such accommodation creates an undue hardship on the Town.

3. REPORTING PROCEDURES

The Town is committed to maintaining a productive work environment free from discrimination. If you believe that you, as an employee, have been subjected to pregnancy and/or pregnancy-related discrimination, you have the right to file a complaint with the Town. This may be done in writing or orally.

If you would like to file a complaint you may do so by contacting the Town Administrator. In addition, your supervisor is also available to discuss any concerns you may have and to provide information to you about our policy and our complaint process.

When the Town receives the complaint, it will determine whether an investigation is necessary, and if so, it will promptly investigate the allegation in a fair and expeditious manner. The investigation will be conducted in such a way as to maintain confidentiality to the extent practicable under the circumstances. When the investigation is completed, the Town, to the extent appropriate, will inform the person filing the complaint of the results of the investigation.

If it is determined that inappropriate conduct has been committed by an employee, the Town will take such action as is appropriate under the circumstances. Such action may range from counselling to termination from employment and may include such other action as it deems appropriate under the circumstances.

In addition to the above, if you believe you have been subjected to discrimination, you may file a formal complaint with the Massachusetts Commission Against Discrimination (MCAD)(set forth below). Using our complaint process does not prohibit you from filing a complaint with the MCAD. The MCAD has a short time period for filing a claim (300 days).

Massachusetts Commission Against Discrimination (MCAD) Boston Office:

One Ashburton Place, Rm 601

Boston, MA 02108

(617) 994-6000

Worcester Office:

484 Main Street, Rm 320

Worcester, MA 01608

(508) 453-9630

4. ACKNOWLEDGEMENT

Massachusetts employers must provide written notice to employees of the right to be free from discrimination due to pregnancy or a condition related to pregnancy, including the right to reasonable accommodation for conditions related to pregnancy. Employers must also provide written notice of employees' rights under the Act: (1) to new employees at or prior to the start of employment; and (2) to an employee who notifies the employer of a pregnancy-related condition. The attached acknowledgement form is provided to ensure compliance.

POLITICAL ACTIVITY POLICY

The Federal Hatch Act as well as the Massachusetts Office of Campaign and Political Finance (OCPF) restricts political activities of public employees.

M.G.L. Chapter 55, Section 13 prohibits paid state, county, city, or town employees, other than elected officials, from directly or indirectly soliciting or receiving any contributions or anything of value for any political purpose. “Political purpose” includes fundraising activity on behalf of any candidate or political committee, including parties, PACs, people’s committees (an offshoot of PACs) and ballot question committees on any level – local, state or federal.

This policy applies to all public employees at any time, during both working and non-working hours, as well as all paid employees of any state, county or municipal office or agency, including public authorities, boards and commissions.

Examples of prohibited fundraising activities:

- Selling or distributing tickets for a fundraising event to benefit any political candidate or political committee and soliciting attendance at such an event by telephone or otherwise;
- Otherwise asking for contributions to support any candidate or political committee (federal, state, county or local) or a ballot question;
- Hosting or sponsoring a political fundraising event;
- Accepting donations or payment for admission at a political fundraising event or accepting money at the door of a political fundraising event;
- Signing a fundraising letter or advertisement on behalf of a candidate or political committee;
- Permitting your name to be listed on campaign stationery as an officer, member or supporter, if the stationery is used to solicit funds for a political purpose;
- Providing persons raising money for a candidate or committee with the names of individuals who would then be solicited;
- Providing general or specific advice to a political campaign with regard to fundraising strategies.

Town employees may run for public office. However, if an employee plans to raise money as part of their campaign for public office, they must organize a political committee and have the political committee handle all fundraising activities on their behalf. A public employee who is a candidate may not solicit or receive contributions for the committee organized on their behalf. The committee organized on behalf of the employee may not solicit or receive any contribution from any individual who has an interest in any matter in which the employee candidate participates, is an employee of the candidate, or is otherwise the subject of such employee's official responsibility.

Further, all employees performing duties in connection with an activity financed in whole or in part by a federal loan or grant shall comply with the Federal Hatch Act. The Hatch Act continues to apply while employees are on sick leave, unpaid leave, or administrative leave.

ANTI-DISCRIMINATION AND HARASSMENT POLICY

1. PURPOSE

This Policy describes The Town’s prohibition of unlawful discrimination and harassment in the workplace, in order to ensure compliance with all applicable federal laws and state statutes and regulations.

2. APPLICATION

The Policy applies to all employees, excluding those employees under the supervision and control of the School Committee and/or Superintendent. Employees whose employment is governed by a collective bargaining agreement are subject only to those provisions of this Policy not specifically regulated by law or agreement.

3. POLICY

It is the Policy of the Town to promote a professional and productive workplace in which all employees are treated with dignity and respect. Employees are expected to act in a positive manner and contribute to a productive work environment that is free from harassing or disruptive activity. Discrimination, including harassment, whether based upon race, color, gender, gender identity, national origin, religion, ancestry, age, sexual orientation, disability, pregnancy or pregnancy-related condition, genetic information, military service, or other bases prohibited under state or federal anti-discrimination statutes, will not be tolerated. Prohibitions on discrimination based upon race include traits historically associated with race, including, but not limited to, hair texture, hair type, hair length and protective hairstyles. To achieve the goal of providing a workplace free from discrimination, the Town will implement the procedure described below to address any potentially inappropriate conduct.

A. Coverage

This Policy applies to all employment practices and employment programs sponsored by the Town. This Policy shall apply, but not be limited, to the areas of:

- Recruitment
- Selection
- Compensation and benefits
- Professional development and training
- Reasonable accommodation for disabilities or religious practices
- Promotion
- Transfer
- Termination
- Layoff, and
- Other terms and conditions of employment.

This Policy may apply to discrimination (including harassment) that occurs between co-workers that takes place outside the workplace (including but not limited to, online conduct or conduct utilizing the internet or other electronic media). When the conduct complained of occurs outside of the workplace, the Town may consider the following and other factors in assessing whether the conduct constitutes conduct in violation of this Policy:

- whether the event at which the conduct occurred is linked to the workplace in any way, such as at a Town sponsored function;
- whether the conduct occurred during work hours;
- the severity of the alleged outside-of-work conduct;
- the work relationship of the complainant and alleged harasser, which includes whether the alleged harasser is a supervisor and whether the alleged harasser and complainant come into contact with one another on the job;
- whether the conduct adversely affected the terms and conditions of the complainant's employment or impacted the complainant's work environment.

Because the Town takes allegations of unlawful discrimination and harassment seriously, officials will respond promptly to complaints and, where it is determined that such inappropriate conduct has occurred, will act promptly to eliminate the conduct, and impose such corrective action as is necessary, including disciplinary action where appropriate.

Please note that while this Policy sets forth Town goals of promoting a workplace that is free of discrimination and harassment, the Policy is not designed or intended to limit the Town's authority to discipline or take remedial action for workplace conduct which is deemed unacceptable, regardless of whether that conduct satisfies the legal definitions of discrimination or harassment.

B. Examples of Prohibited Discriminatory Behavior

It is not possible to list all the circumstances that may constitute discrimination in violation of this Policy. Discrimination may take many forms, including both verbal and nonverbal behaviors. Prohibited behavior includes, but

is not limited to, the following behaviors connected to someone's membership in one or more groups protected by law as noted in the first paragraph above: slurs or other derogatory comments; sharing demeaning pictures, cartoons, or jokes; demeaning gestures; and any conduct constituting sexual harassment.

C. Definition of Sexual Harassment

Sexual Harassment – That conduct, including unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature, which may constitute sexual harassment when:

- 1) submission to such conduct is made explicitly or implicitly a term or condition of an individual's employment;
- 2) submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual; or
- 3) such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment.

Hostile Work Environment – A form of sexual harassment, where pervasive and sexually hostile working conditions unreasonably interfere with an employee's ability to do his or her job.

Quid Pro Quo – Another form of sexual harassment, where tangible job benefits are offered or withheld in exchange for sexual favors.

Note: While it is not possible to list all those additional circumstances that may constitute sexual harassment, the following are some examples of conduct which, if unwelcome, may constitute sexual harassment depending upon the totality of the circumstances including the severity of the conduct and its pervasiveness:

- Unwelcome sexual advances, whether they involve physical touching or not;
- Sexual epithets, jokes, written or oral references to sexual conduct, gossip regarding one's sex life; comment on an individual's body, comment about an individual's sexual activity, deficiencies, or prowess;
- Displaying sexually suggestive objects, pictures, cartoons;
- Unwelcome leering, whistling, brushing against the body, sexual gestures, suggestive or insulting comments;
- Inquiries into one's sexual experiences; and,
- Discussion of one's sexual activities.

Under these definitions, direct or implied requests by a supervisor for sexual favors in exchange for actual or promised job benefits such as favorable reviews, salary increases, promotions, increased benefits, or continued employment constitutes sexual harassment.

The legal definition of sexual harassment is broad and in addition to the above examples, other sexually oriented conduct, whether it is intended or not, that is unwelcome and has the effect of creating a workplace environment that is hostile, offensive, intimidating, or humiliating to male or female workers may also constitute sexual harassment. This can include conduct that is aimed at a person's sexual orientation or gender identity.

4. PROCEDURES

A. Complaints of Sexual Harassment

If an employee believes that the employee has been subjected to sexual harassment, it is the Town's policy to provide the employee with the right to file an internal complaint. This may be done orally or in writing. An employee may file a complaint of sexual harassment by contacting Jonathan Ruda, Town Administrator. Alternatively, an employee may file a complaint with Lori Smith, Town Clerk. These persons will remain available to discuss any concerns employees may have and to provide information about the Policy on sexual harassment and the complaint process.

B. Sexual Harassment Investigation

When a complaint of sexual harassment is received, the Town will promptly investigate the allegation in a fair and expeditious manner. The investigation will be conducted in such a way as to maintain confidentiality to the extent practicable under the circumstances. The investigation will include a private interview with the person filing the complaint and with any witnesses. The Town will also interview the person alleged to have committed sexual harassment. When the investigation has concluded, the City/Town will, to the extent appropriate, inform the person

filing the complaint and the person alleged to have committed the conduct of the results of that investigation.

If it is determined that inappropriate conduct has occurred, the Town will act promptly to eliminate the offending conduct and, where appropriate, impose disciplinary action.

C. Complaints Concerning Other Forms of Discrimination and/or Harassment

Complaints alleging forms of discrimination and/or harassment, other than sexual harassment, will be processed in accordance with Paragraphs A and B, above, whenever appropriate. Even where the unwelcome conduct is not sufficiently severe or pervasive to constitute actionable harassment under the law, the Town forbids unwelcome conduct in the workplace and in any setting related to Town business activities.

D. Confidentiality

Given the sensitive nature of complaints of discrimination and/or harassment, all parties, and witnesses in a complaint, as well as department heads, supervisors, etc. who are aware of a complaint or investigation thereof, are strongly encouraged to maintain this information as confidential, so as not to negatively impact an investigation. The investigation will be conducted in such a way as to maintain confidentiality to the extent practicable under the circumstances.

All employees are reminded of the provisions of the Conflict of Interest Law, particularly G.L. c.268A, § 23(2), which prohibit a municipal employee or official from improperly disclosing information that is protected from disclosure under the Public Records Law and acquired by an employee or official in the course of official duties. General Laws c.268A, §23 also prohibits a municipal employee or official from using such information to further the employee's/official's personal interest. Violations of this statute may lead to disciplinary action, up to and including termination.

E. Retaliation

Any retaliation against an individual who has formally or informally complained about discrimination, including harassment, or has cooperated with an investigation of a discrimination complaint, is prohibited.

Retaliation can be overt or subtle. Retaliation may include, but is not limited to, treating a complainant or witness differently, more harshly or in a hostile manner; physical interference with movement such as blocking a path; derogatory comments or action which would tend to have a chilling effect on other complainants; sudden investigations of the complainant's private life, or; sudden strict enforcement of work rules. Retaliation in any form will not be tolerated.

5. SANCATIONS

If it is determined that inappropriate conduct has been committed by an employee, the Town will take such action as is appropriate under the circumstances. Such actions may include counseling, informal or formal reprimands, written or verbal warnings, suspension, reduction in pay, reduction in duties, transfers, and other formal sanctions, including termination from employment.

6. STATE AND FEDERAL REMEDIES

In addition to the above, if an employee believes that the employee has been subjected to sexual harassment, the employee may file a formal complaint with either or both government agencies listed below. Using the Town's complaint process does not prohibit an employee from filing a complaint with either of these agencies. Please note that both agencies have a short time period for filing a claim (300 days).

1. The United States Equal Employment Opportunity Commission (EEOC)

John F. Kennedy Federal Building
475 Government Center
Boston, MA 02203
Phone: (800) 669-4000 TTY: (800) 669-6820

2. The Massachusetts Commission Against Discrimination (MCAD)

Boston Office

One Ashburton Place, Room 601

Boston, MA 02108

Phone: 617-994-6000

Springfield Office

436 Dwight Street, Room 220

Springfield, MA 01103

Phone: 413-739-2145

7. EQUAL EMPLOYMENT OPPORTUNITY STATEMENT

The Town will not discriminate in its employment practices, on the basis of race, color, gender, gender identity, national origin, religion, ancestry, age, sexual orientation, disability, pregnancy or pregnancy-related condition, genetic information, military service, or another basis prohibited under state or federal antidiscrimination statutes. This shall include such areas as recruitment, selection, compensation and benefits, professional development and training, reasonable accommodation for disabilities or religious practices, promotion, transfer, termination, layoff, and other terms and conditions of employment.

ANTI-DISCRIMINATION AND HARASSMENT POLICY ACKNOWLEDGEMENT

**EQUAL EMPLOYMENT OPPORTUNITY, DISCRIMINATION, AND SEXUAL HARASSMENT POLICY
ACKNOWLEDGEMENT**

This acknowledges that I have received and reviewed the Town of Dudley Equal Employment Opportunity, Discrimination, and Sexual Harassment Policy ("Policy"). By signing this form, I agree to abide by the Policy and any Guidelines promulgated thereunder, and I agree to review periodically any changes or modifications. I recognize that the law and associated Policy regarding discrimination and harassment are continually evolving. Therefore, I understand that my regular review of this Policy, as it may be amended, is required.

Print Name:

Signature:

Date:

To be included in employee's personnel file.

WORKPLACE INJURIES POLICY

Police and Fire

Sworn Police and Fire employees are covered under the provisions of M.G.L. Ch. 41 S. 100 and 111F and are entitled to the rights and benefits of these laws.

All other employees

All other employees are covered under the Massachusetts Workers' Compensation Law, M.G.L. Ch. 152, and are entitled to the benefits and provisions of this law. Workers' Compensation law does not provide for payment of lost wages until after five lost days and then it is retroactive to the first day of injury. For on-the-job injuries that result in lost time of less than five days, the employee may use accrued sick leave. All injuries shall be reported immediately to the supervisor or department head, and proper forms must be completed. Employees may use their accumulated sick or vacation leave to make up the difference between their regular pay and the amount of pay received under Workers' Compensation. In some instances, employees may be charged for the difference in cost of certain benefits deductions, as Workers' Compensation payments are made directly to the employee and the earnings from use of accrued sick and vacation leave may not cover the full cost of deductions.

The Form 101 "Employer's First Report of Injury or Fatality" (Mass Division of Industrial Accidents) is specifically required when an employee is injured or alleges an injury. It is the responsibility of the Town to report an alleged injury, whether or not the Town agrees with the employee's claim.

WORKPLACE SAFETY POLICY

1. GENERAL POLICY

The Town shall endeavor to provide and maintain safe working conditions. As appropriate, employees shall be provided with necessary safety equipment. Employees shall be required to wear and use safety equipment at all times while undertaking the work for which the equipment is furnished.

2. SAFETY BELTS

All municipal personnel are required to wear safety belts when operating or riding in municipally owned or leased vehicles or in other vehicles, including personal vehicles, while engaged in Town-related business.

3. SMOKING PROHIBITION

Smoking is not allowed in any publicly owned or leased building or vehicle.

4. CELL PHONE USE & TEXTING

Employees shall comply with all federal and state laws regarding the use of cell phones, texting and other electronic and/or telecommunicating equipment while operating a vehicle.

5. RESPONSIBILITIES OF DEPARTMENT HEADS AND EMPLOYEES

Department heads and supervisors shall be responsible for safe working areas; recommending correction of deficiencies noted in work procedures, facilities, safety clothing or equipment, or conduct; ensuring the availability and utilization of appropriate protective clothing and equipment; observing working conditions and field procedures to prevent possible safety hazards; and investigating and report all accidents promptly.

1. Each employee shall observe all safety rules, operating procedures, and safety practices; use personal protective equipment; report unsafe areas, conditions, or other safety problems; and report all accidents promptly to the appropriate supervisor.

6. DISCIPLINARY ACTION

Employees violating safety rules, practices, and policies may be subject to disciplinary action, up to and including termination.

FRAUD PREVENTION POLICY

1. PURPOSE

To prevent and detect fraud, assign responsibility for implementing appropriate controls to prevent and detect fraud, establish the appropriate reporting mechanisms to be used for notification of known or suspected fraud, and establish the consequences for fraud by employees.

This Policy applies to all Town employees and officials (“Employees”) and any other individuals or entities having a financial relationship with the Town.

2. DEFINITIONS

A. Fraud – a violation of trust that is defined as a deception deliberately practiced to secure unfair or unlawful gain. The term includes, but is not limited to, such acts as deception, bribery, forgery, extortion, theft, embezzlement, misappropriation of money or assets, false representation, the concealment of material facts relating to any of the above and collusion or conspiracy to commit any or all of the above.

While fraud can cover many activities, this Policy is directed primarily at questionable financial practices, which may include, but not be limited to:

- Misappropriation of Assets: Forgery, alteration or misappropriation of checks, drafts, promissory notes or securities; unauthorized use, or disposition of funds or property (for example, misuse of Town-owned computer hardware, software, data and other records; use of Town-owned equipment, vehicles or work time for non-Town purposes); embezzlement; theft; falsifying timesheets or payroll records; falsifying travel or expenses and/or utilizing Town funds to pay for personal expenses or for personal benefit; and fictitious reporting of receipt of funds.
- Fraudulent Financial Reporting: Improper revenue recognition; improper expense and/or expenditure recognition; overstatement of assets; and understatement of liabilities.

3. POLICY

A. Scope of Policy

Town Employees and officials must comply with applicable state and federal law and Town policies. The Town has a fiduciary responsibility to conserve, preserve, and efficiently use all Town resources.

B. Prevention and Detection of Fraud

Town Employees shall not perpetrate, engage in, or otherwise facilitate any act of fraud. Supervisors are responsible for knowing the types of improprieties that might occur within their areas of responsibility and for identifying and assessing any irregularities. Town Employees are responsible for the prevention and detection of fraud that might occur within the scope of their work assignments and for reporting any known or suspected fraud.

C. Reporting Known or Suspected Fraud

Employees are responsible for immediately reporting known or suspected incidents of fraud, including theft and misappropriation of Town assets, to either their supervisor or the Town Administrator.

Any Employee who has knowledge of fraud and does not report it may be subject to disciplinary action, up to and including termination of employment. If the initial notification is to the supervisor, the supervisor will notify the Town Administrator. If the known or suspected fraud is by the Town Administrator, the supervisor will notify the Chair of the Select Board.

D. Investigation of Reports of Known or Suspected Fraud

The Town Administrator (or designee) will investigate the alleged fraud. Any employee who suspects fraudulent activity should not attempt to personally conduct an investigation related to the activity. If the employee elects to notify the supervisor first, the supervisor must immediately notify the Town Administrator or the Chair of the Board of Selectmen (as appropriate to the circumstance) before taking any other action. If there are any questions about what constitutes fraud, the Town Administrator should be contacted as appropriate. Allegations against the Town Administrator will be conducted by the Board of Selectmen or designee.

4. CONSEQUENCES

If an Employee has engaged in fraud or theft, appropriate disciplinary action will be pursued, up to and including termination of employment, in accordance with applicable personnel policies for employees and/or collective bargaining agreements. In addition, employees engaging in fraud or theft will be required to pay restitution. Employees of the Town who engage in fraud are not acting within the scope of their employment and should not expect protection for their acts. The Town may pursue criminal charges based on the merits of the case in consultation with the Chief of Police. Ordinarily, submission of resignation from an Employee believed to have engaged in fraud, will not preclude later disciplinary action, including restitution and legal action.

The Town will not retaliate against any employee of the Town, or any person acting on behalf of the Town, who reports a violation of this Policy in good faith. Any individual who engages in retaliation against an individual who has made a good-faith allegation under this Policy may be subject to disciplinary action, up to and including dismissal.

SEPARATION FROM SERVICE POLICY

Employment with the Town has no specified term or length. Employees are free to resign at any time, and the Town reserves the right to terminate employment for any reason permissible by law, or no reason at all. All employees, except contract employees, are considered employees at will.

At the time of separation, all records, assets, or other items of Town property in the employee's custody shall be transferred to the appropriate department or official. Employees who separate from the Town service shall receive payment for all earned salary and accumulated vacation leave, subject to appropriate deductions in accordance with the Massachusetts Wage Act.

The rights and procedures granted under a relevant collective bargaining agreement and/or the Massachusetts Civil Service Law will take precedence over any conflicting policies described herein.

EQUAL PAY ACT POLICY

The Town complies with Chapter 177 of the Acts of 2016, *An Act to Establish Pay Equity*, which amends the Massachusetts Equal Pay Act (MEPA), M.G.L. c. 149, § 105A to generally provide that, “*No employer shall discriminate in any way on the basis of gender in the payment of wages, or pay any person in its employ a salary or wage rate less than the rates paid to its employees of a different gender for comparable work.*” The law defines “comparable work” as work that requires substantially similar skill, effort, and responsibility, and is performed under similar working conditions.

MEPA permits differences in pay for comparable work only when based upon:

1. a system that rewards seniority with the employer (provided, however, that seniority will not accrue while on leave due to a pregnancy-related condition and protected parental, family and medical leave);
2. a merit system;
3. a system which measures earnings by quantity or quality of production;
4. the geographic location in which a job is performed;
5. education, training, or experience to the extent such factors are reasonably related to the particular job in question; or
6. travel, if the travel is a regular and necessary condition of the particular job.

Further, the Town will not ask or compel any potential employee to share their salary history before making a job offer.

ADDENDUM A: TOWN OF DUDLEY TELEWORK POLICY

1. PURPOSE

The Town of Dudley (the “Town”) is committed to fostering a flexible workplace environment that recognizes employees’ ongoing navigation of career and life responsibilities. A work flexibility arrangement, referred to as “Telework” under this Policy, is an arrangement under which an employee performs all duties and responsibilities of such employee's position, and other authorized activities, from an approved worksite other than a Town worksite.

The Town, through this Telework Policy (the “Policy”), is providing eligible Town employees with the opportunity to work remotely. This option is available to employees within certain departments that can perform official Town business operations while working from an alternate work location. Telework can be a viable option if work can be performed remotely with the same level of services and efficiency as performed onsite.

The purpose of this Policy is to implement guidelines to enable a consistent application of Telework practices across Town departments, to ensure the security of Town information and systems, support continuity of operations planning, and sustain the hiring and retention of a highly qualified workforce by enhancing work/life balance. Any Telework arrangement must be approved in advance by the employee’s Department Head and the Town Administrator, and may be discontinued at any time at the discretion of the Town.

2. PRINCIPLE

Flexibility is the key principle of Telework. Flexibility in the workplace, a business principle widely used to manage people, time, space, and workload supports the Town’s goals related to employee recruitment, retention, and sustainability, employee excellence and well-being, and overall financial savings for the Town.

1. Types of flexibility: The Town offers different types of workplace flexibility (see Section A of this Policy, entitled “Work Schedule,” under Telework Guidelines), recognizing that not all forms of flexibility are applicable to all positions, or are a good fit for the specific skills of all employees.

Flexibility ultimately depends on the Department’s goals and specific employee functions, skills, and responsibilities.

2. How to manage flexible work: Departments are encouraged to have open dialogues regarding flexible work and integrate the concept as part of the workplace environment, as appropriate. The determination of whether an employee is eligible to participate in a flexible work arrangement shall be made at the discretion of the Department Head, on a case-by-case basis, considering the needs of the Department, with the approval of the Town Administrator. Telework Agreements, described below, should be reviewed on a consistent basis and modified as necessary.

All approved flexible work arrangements must be in writing on a Telework Agreement Form (the “Agreement”) signed by the employee, the Department Head, and the Town Administrator.

3. What to do when issues or concerns occur: If an employee has an issue or concern regarding a decision made under this Policy, it should first be brought to the attention of the Department Head for resolution. If the matter cannot be resolved, the employee may consult with the Town Administrator.

3. ELIGIBILITY

This Policy is for all non-union and union personnel, unless otherwise stated in a Collective Bargaining Agreement.

To be eligible to participate in Telework, employees must be employed with the Town for a minimum of 90 days. Exceptions to this requirement may be granted by the Department Head, with the approval of the Town Administrator.

Employees must meet work expectations, fulfill the duties of their job description, have no recent history of performance or disciplinary issues, including verbal or written warnings, and have no record of sick time abuse to be eligible.

A. Suitable Position and Assignments

Full-time, part-time, seasonal or temporary positions may be eligible to participate in Telework. The nature of the work performed, and services provided must be considered in determining whether Telework is an option for a particular position. Whether a position is suitable for Telework will be made at the discretion of the Town Administrator upon recommendation of the Department Head and will be evaluated on an individual basis considering the following criteria:

1. Some, or all, of the job functions are portable, or can be accessed electronically, and therefore can be performed effectively while working away from the primary work location. The work does not require access to equipment or materials that cannot be removed from the primary work location.
2. The employee's participation in the Telework program will not adversely affect the Department's ability to meet and/or exceed customers' (public) needs.
3. The position does not require daily unscheduled face-to-face contact with other employees or the public at the primary work location. The employee has the ability to set up meetings with other employees, supervisors, or customers at the primary work location.
4. Positions with established metrics that can be met in a Telework environment.
5. Availability of an appropriate remote workspace free from frequent interruptions during the employee's work hours.
6. Other factors as the Department Head and/or Town Administrator deem relevant in their discretion.

B. Employee Performance

Employees suited for Telework need to possess several attributes which indicate they can work well and meet job expectations with this type of work arrangement:

1. Solid performer who knows the duties of the job and the Department's standards and expectations.
2. Be able to work independently without close supervision and fulfill job duties and expectations.
3. Have the ability to prioritize work effectively and utilize good time management skills.
4. Be reliable, disciplined, and self-motivated with a high sense of responsibility in accomplishing work assignments.
5. No recent history of performance or conduct issues, including, but not limited to sick time abuse.

C. Employee Requirements

Must comply with Town's Telework Policy, as updated, and any related procedures, guidelines and regulations. Remain accessible to customers, co-workers, and supervisors, and provide seamless customer service, consistent with the employee's job duties.

Plan and organize job tasks for Telework for efficiency and productivity.

Request approval from Department Head and Town Administrator prior to incurring any overtime.

Develop proficiency in the use of the technology required for telework.

Adhere to the provisions in the Telework Agreement.

4. TELEWORK GUIDELINES

Telework Guidelines:

A. Work Schedule

Forms of Flexibility:

Telework Agreements provide flexibility by allowing employees to work from a location other than the Town's offices for all or part of their scheduled work hours.

An employee may also request to work a different work schedule than their Department's typical schedule

although the work schedule will typically include working core hours set by the Department. A flexible work schedule does not alter the total number of hours per work the employee works.

Another flexible scheduling option allows an employee to begin or end their workday within a certain range of time. For instance, a Department Head may determine it is critical for the job functions of an employee to be working between the hours of 9:00 a.m. and 3:00 p.m. and may permit an employee to arrive anytime between 7:00-9:00 a.m., and work until the hours assigned for that day are complete. Employees may also seek to work non-consecutive hours or a compressed schedule, e.g., working four (4), 10-hour days rather than five (5), 8-hour days for a 40-hour per week employee.

B. Procedures

Outlined below are the basic procedures for requesting a Telework arrangement. Employees seeking approval for a Telework Agreement shall first submit a proposal (see Telework Agreement Request Form) to the Department Head for review. If approved, the Department Head and employee shall complete a Telework Agreement, which shall be reviewed, signed, and forwarded to the Town Administrator for their approval. Once a Telework Agreement is approved, the Department Head, or Designee, shall routinely review the Telework Agreement and make adjustments to address concerns/challenges. An initial review shall be scheduled within thirty (30) days of the effective date of the Telework Agreement; thereafter, reviews must be scheduled routinely and at a minimum shall be conducted annually, although they may occur more frequently. If a Department Head decides to deny a request for a Telework Agreement, they should work with Town Administrator to notify, in writing, the employee of the denial and reasons thereof.

Any proposed modifications to a Telework Agreement are subject to the approval of the Department Head and Town Administrator.

Telework Agreement

A clearly defined schedule of work hours, including specific work hours and break times, must be set prior to the employee starting to Telework. The expectations of an employee's availability and scheduled work hours shall be detailed in the Telework Agreement. Employees are not authorized to work during pre-approved break times. The total number of hours that an employee works in a workweek shall not be affected or altered by Teleworking.

For non-exempt employees, hours of work beyond the authorized workweek and any overtime require prior approval and will be compensated according to state and federal law.

C. Work Expectations

When Teleworking, employees must be available and accessible during work hours to internal/external customers, employees in their Department, any managers or supervisors, the Department Head and any other individuals they would reasonably expect to be in contact with if they were working onsite. During Telework hours, an employee is required to participate in scheduled meetings via teleconference; however, there may be times when teleconference is not appropriate, and the employee shall arrange to be at the primary work location during the employee's Telework hours. Notwithstanding the terms of the Telework Agreement, at a Department Head's discretion, an employee may be required to report to the primary work location, or other designated locations, at any time for any task related to the employee's job duties and functions.

Teleworkers are subject to the same work expectations and job performance competencies as if the employee were at the Town worksite. Employees are expected to provide the same level of customer service, work outcomes, and quality of work while teleworking. Time spent and work accomplished from a remote location should appear seamless to customers.

D. Confidentiality

Employees must maintain appropriate confidentiality of all work-related information, including written documents, electronic files, and verbal communication. Any work performed at the Telework location is considered official Town business. If an employee requires hardcopy confidential information at the Telework location, they shall first obtain approval from the Department Head or data owner, and once said information has been transferred to the Telework location use best efforts to store said information temporarily. Electronic files and automated records must be safeguarded to protect unauthorized disclosure or damage. Steps employees must take to secure confidential information include, but are not limited to, using locked file cabinets and desks, regular password maintenance, and any other steps appropriate for the job and the environment.

Employees must store all protected health information, Personally Identifiable Information (PII), and confidential records in a secure location. Any verbal communication of confidential work-related information should be conducted in a private area.

Confidential information shall not be downloaded to a local laptop or workstation or placed in the Cloud. Printing of confidential Town materials in the remote telework location should be done in a secure manner. Documents shall not be maintained at a Telework location any longer than is reasonably necessary to complete the associated task.

Breaches of information security, whether by accident or design, while Teleworking, must be reported to the employee's Department Head and IT immediately.

E. Work Space

Employees are responsible for designating an appropriate workspace for the purpose of performing work for the Town. Notice of such designated work space shall be given by each employee to their Department Head prior to the approval of the Telework Agreement.

The workspace must be sufficient for the employee to perform the requirements of the job, including appropriate furniture, equipment, supplies and lighting. The remote work location must be safe and free from hazards, including ensuring the location is in compliance with all applicable building codes. The Town is under no obligation to maintain or repair any structure at the Telework location. Employees are not permitted to conduct face-to-face meetings at the Telework location without the specific prior approval of the employee's Department Head.

Employees shall apply approved safeguards to protect all Town records, including confidential documents as mentioned above, from unauthorized disclosure or damage and shall store all said documents in a secure location.

Each employee shall notify the Town immediately of any injuries sustained during hours of work in the designated work space. Each employee shall maintain adequate and reasonable liability insurance on the premises where the telework will take place.

F. Work-Related Travel

Employees shall provide the Department Head, Designee, or direct supervisor with as much advance notice as possible when scheduling meetings or attending to other obligations that require traveling to another location on foot or via motor vehicle during scheduled work hours.

G. Equipment, Technology and Supplies

The decision to purchase new equipment or supplies for a Telework location is at the discretion of the Town and is contingent upon the availability of funding to support the request. All such requests shall be discussed with the Department Head prior to initiating a Telework Agreement.

All equipment, supplies or other property provided by the Town remain property of the Town. Employees must

take reasonable and prudent precautions to protect Town equipment against damage, loss, or abuse while in the employee's custody. Use of Town equipment is governed by the Town of Dudley Computer Usage Policy and any other applicable policies. Town equipment is serviced and repaired by IT at Town facilities; support technicians will not travel to a Telework site. Only Town approved software shall be downloaded on Town equipment

The Teleworker must immediately notify IT of any Town allocated equipment that malfunctions.

The Town accepts no responsibility for damage, repairs or maintenance to employee-owned equipment.

Employees who are approved to Telework must maintain internet service at their own expense and have a phone. Teleworkers are prohibited from using their home computer for Town-related work unless the Town's secure remote access tools are used. For all Town-issued laptops, employees must bring the laptop onsite, when requested by IT, for updates and security patches. If equipment needs to be serviced or repaired, the employee must contact IT to coordinate services. Employees shall bring the equipment to a Town building location for service.

Town equipment must be used for official Town business only. Unauthorized persons are prohibited from using Town equipment. Employees may not use Town equipment for unlawful purposes or for work for other employers. Any products, including technologies, applications, software and other intellectual property, developed by an employee Teleworking are the property of the Town.

Employees will be responsible for transporting and installing the equipment at the Telework location. Lost, stolen, or compromised devices must be reported immediately to IT and the Department Head immediately.

The Teleworker must safeguard access to Town systems. A Town-issued laptop computer, used to connect remotely, is subject to scanning by the Town to check for performance issues and general compliance with Town technology standards.

H. Expenses

The Town shall not be liable for lease or use expenses because of Teleworking. Other expenses not specifically covered will be dealt with on a case-by-case basis, taking into account the reasonableness of the expense. Employees cannot be assured of reimbursements for expenses not approved in advance.

I. Town Policies and Procedures

Compensation and benefits including hours of work, leave, and overtime will remain the same for Teleworkers as for all other employees.

All personnel regulations and other applicable Town, state and federal regulations, policies and procedures apply to Teleworkers. This includes policies and procedures that address employee standards of conduct, the privacy and protection of information, electronic and e-mail use policies, responsibility for proper use and care of Town-owned equipment, and Town liability for on-the-job injuries.

J. Liability

The determination of compensability for remote work site injuries shall be determined like any other off site location for purposes of Workers' Compensation. Employees must notify their Department Head immediately of any accident or injury that occurs at the alternate work site that arises out of and in the course of their employment and comply with Town policies covering on-the-job injury. The Town will not be liable for injuries occurring during scheduled Telework hours if the employee is conducting personal, non-work-related activities. Employees understand that the Town will not be liable for any injuries to third parties or for damages to an employee's personal or real property while the employee is working at the alternate work site.

Information on the Teleworker's laptop or workstation may be subject to the Massachusetts Public Records Law and subpoena requests.

The Town will not be liable for any damages to the employee's property that results from participation in the Town's Telework program. The Town will not be responsible for operating costs, home maintenance, or any incidental cost (e.g. utilities) associated with the employee's use of their residence for telework for the Town.

K. Dependent Care

Telework is not a substitute for childcare or other dependent care responsibilities. If a child or dependent who would normally require child or other dependent care is present during scheduled Telework hours, the employee shall make other arrangements for the care of the child or dependent.

L. Inclement Weather and Emergency Events

When an employee is Teleworking during inclement weather or emergency events, they are subject to department essential staffing requirements. An employee who is Teleworking may be required to come to the primary work location during adverse weather or emergency events.

In addition, Telework employees may be required to work under the Department's Continuity of Operations Plan (COOP).

M. Telephone or Internet Service Outage

In the event of an outage impacting telephone or internet service at the Telework location, the employee should contact their supervisor to discuss whether to report to the Town primary work location, work from an alternate telework location, work on assignments not impacted by loss of service, or take Personal Time Off ("PTO") for the time when work cannot be performed.

N. Modifying, Renewing and Terminating a Telework Agreement

Exceptions to an employee's regular Telework schedule, such as adding or changing Telework days, must be approved by the Department Head in advance, when possible.

A Telework Agreement will be reviewed when an employee's job role, work assignments, or Department Head change. Telework Agreements are not automatically transferred from one position or Department Head to another. Telework Agreements must be reviewed and renewed annually to ensure there is a continued benefit to both the Town and employee.

The Town Administrator, in their sole discretion, shall have the authority to modify any portion of a Telework Agreement.

Either party may terminate a Telework Agreement at any time, without cause. Generally, fourteen (14) days' notice of said termination should be provided unless not reasonably feasible or the Town agrees to a shorter notice period. Termination of a Telework Agreement by a Department Head or the Town Administrator is not eligible for appeal.

O. Compliance with Policy

Failure to comply with any requirement of this Policy may lead to the cancellation or modification of any Telework Agreement and/or discipline, up to and including termination from employment.

Effective: This Policy shall be adopted upon vote of the Board of Selectmen and notification to all affected boards, commissions, departments, and employees, pursuant to Town Bylaw.

ADDENDUM B: TOWN OF DUDLEY PROFESSIONAL CONDUCT POLICY

1. PURPOSE AND SCOPE

1.1. The purpose of this Policy is to outline conduct expected by employees and officials of the Town of Dudley when conducting business with other employees and officials, customers, vendors, and visitors, who interact with the Town, either on a daily or more infrequent basis. This policy extends to personal conduct and supplements any legal requirements on public employees.

1.2. Nothing in this Policy limits or replaces rules of conduct described in Massachusetts General Laws Chapter 268A, (Chapter 268A and related regulations, 930 CMR 1.00, et seq. are referred to in this policy as "State Public Employee Ethics Laws") regarding the conduct of a public employee, including Town employees and officials as described in the law and regulations.

1.3. Nothing in this Policy limits or replaces other Town policies that address employee and/or official conduct, such as the Town's Workplace Violence Prevention Policy, Sexual Harassment Prevention Policy, Protected Class Harassment Prevention Policy, and the Town's Alcohol & Drug Policy, and other policies applicable to employee and/or official conduct.

2. APPLICABILITY

2.1. This Policy applies to all compensated positions, excluding employees and school committee members of the School District, and to all elected or appointed officials (hereinafter "official" or "officials") of the Town. Employees whose positions are covered by a collective bargaining agreement are subject only to those portions of this Policy that are not separately regulated by a collective bargaining agreement. Persons employed under individual employment agreements shall follow the provisions of this Policy.

2.2. This Policy does not replace applicable law, including State Public Employee Ethics Laws, but instead applies in addition to applicable law. In the event this Policy conflicts in any way with laws governing employee or official conduct, the law will apply over this policy, to the extent that it is stricter.

3. POLICY

3.1. Employees and town officials must act with fundamental honesty and integrity in all Town dealings, comply with all by-laws/regulations that govern the Town, maintain an ethical and professional work environment and comply with all Town policies. Town employees and officials are required to consistently treat fellow employees and officials, customers, vendors, and visitors with respect, dignity, honesty, fairness, and integrity. It is the responsibility of all elected officials, volunteers, and appointed officials, as well as staff to fully understand the roles and responsibilities of their position(s), and not to exceed, or appear to exceed that authority or shirk from its responsibility. In essence, all Town Officials have the responsibility to become familiar with their roles and conduct themselves accordingly.

3.2. As further described in State Public Employee Ethics Laws, and among other requirements set forth in the law, employees and town officials may not, directly or indirectly, ask, demand, exact, solicit, seek, accept, receive or agree to receive anything of value for themselves or for any other person or entity for or because of any official act performed or to be performed by the employee, to influence any official act performed or to be performed, to influence or attempt to influence any official act performed or to be performed, or to act in a manner which would cause a reasonable person to conclude that the employee could be influenced in such a manner. Under the State Public Employee Ethics Laws, it is the responsibility of each individual to comply. Employees and town officials are advised to seek guidance from the State Ethics Commission as necessary.

3.3. Examples of conduct that is considered inappropriate and/or unprofessional under this Policy includes, but is not limited to, the following:

- (a) Asking or requiring another individual to act unethically or violate the Town's Professional Conduct Policy or the law.
- (b) Misrepresenting the Town or any Town employee or official.
- (c) Engaging in gambling, such as sports' pools, card games, games of chance, and raffles during working hours, on Town property or while conducting Town business or representing the Town.
- (d) Discriminating against others based on race, sex, sexual orientation, age, handicap, religion, national origin or any other protected category that applies to the Town.
- (e) Engaging in any behaviors that are harassing, including sexual harassment or offensive comments or jokes.
- (f) Consuming and/or using alcohol, non-prescribed narcotics or controlled substances during work time, or reporting to work under the influence of alcohol, non-prescribed narcotics or controlled substances in any form. You must inform the Town Administrator or your supervisor at the start of the workday if you are taking medication that might impair your work performance in order that proper accommodations can be considered and made where reasonable.

3.4. Employees and town officials shall obey the laws of the United States and the Commonwealth of Massachusetts. Any employee or official who is convicted of a crime relating to their employment or office or impacting their employment, or crimes which may disqualify them from holding necessary certifications or licenses, may be subject to disciplinary action, up to and including termination. Employees and officials are, where applicable, subject to meeting CORI background screening requirements, subject to Town requirements and applicable law, including the law governing CORI.

3.5. Employees shall comply with all of the policies and operating procedures of the department in which they work and the Town of Dudley. Employees shall respond to the work-related directives of their supervisor. Officials shall comply with all of the policies of the Town.

3.6. Employees and town officials are expected to conduct themselves in their official relations with the public and with their fellow employees in a manner which will enhance public respect for, and confidence in, the employee and the Town as a whole. Employees and town officials must not only perform their duties in a wholly impartial manner but must avoid any conduct which gives a reasonable basis for the impression of acting otherwise. Specifically, all employees and town officials shall avoid any action which may result in or create a reasonable basis for the impression of:

- (a) Using public office for private gain.
- (b) Giving preferential treatment to any individual.
- (c) Making work-related decisions contrary to departmental or Town policy; and,
- (d) Using one's official position to harass or intimidate any person or entity.
- (e) No municipal employee or official shall, other than as provided by law for the proper discharge of his/her official duties, directly or indirectly receive or request compensation from anyone other than the town or

municipal agency in relation to any particular matter in which the same Town is a party or has a direct and substantial interest.

(f) No person shall knowingly, other than as provided by law for the proper discharge of official duties, directly or indirectly give, promise or offer such compensation.

(g) No municipal employee or official shall, other than in the proper discharge of his/her official duties, act as agent or attorney for anyone other than the city or town or municipal agency in prosecuting any claim against the Town, or as agent or attorney for anyone in connection with any particular matter in which the same town is a party or has a direct and substantial interest.

(h) Employees and town officials shall not solicit or accept, directly or indirectly, any gift or benefit, including any gratuity, favor, entertainment, loan, or any other item of value, from a person who or entity which the employee knows or has a reason to know:

- Has, or is seeking to obtain, contractual or other business or financial relations with his/her department or the Town;
- Conducts business or other activities which are regulated or monitored by the department or the Town, except as permitted by statute or regulation;
- Has interests that may be substantially affected by the employee's performance or nonperformance of his/her duties or has the appearance of being substantially affected; or
- Seeks to influence the employee in performance of his official acts or any act within their official responsibility.

3.7. Exceptions- the restrictions set forth above do not apply to the following gifts, provided that such gift or benefit has not been solicited by the public employee, and is not for any of the purposes identified as prohibited above, and/or in the State Public Employee Ethics Laws:

(a) De Minimis Gifts. Anything with a value of less than \$50. De minimis gifts include multiple gifts or benefits given or offered to a public employee within a calendar year by one person or by an organized group of persons having a common interest in a particular matter or legislation before that public employee if the aggregated value is less than \$50.

(b) Inheritance. Anything received by inheritance based solely on a personal, e.g., family or comparable, relationship.

(c) Gifts from Immediate Family and Relatives. Anything received by a public employee from a member of the public employee's immediate family or from a great grandparent, great grandchild, grandparent, grandchild, uncle, aunt, niece, nephew, cousin, stepparent, stepchild of the public employee or of the employee's spouse and given for reasons unrelated to the public employee's official position or duties.

(d) Informational material. Informational material relevant to a public employee's official functions and intended for use by the public employee in the exercise of official duties or solicited for the purpose of promulgating, administering, and enforcing agency regulations, such as books, pamphlets, reports, documents, periodicals, or other information that is recorded in a written, audio, electronic, or visual format.

(e) Professional Organization Membership Fees. Reduced or waived membership or other fees offered by a professional organization if the only requirements for membership relate to professional qualifications and the reduction or waiver applies to the Town's costs.

(f) General Discounts. A rebate, discount, or promotional item available to the general public or to a class consisting of all public employees from a city or town, county, or state on the same terms as offered to the public.

(g) Display Items for Meritorious Public Service. An item intended for display and given by a civic, charitable, professional, religious, or fraternal organization in recognition of meritorious public service that has no or minimal resale value. Such items shall include but not be limited to trophies, plaques, bowls, and certificates.

(h) Honoraria. Honoraria not exceeding \$250.00 for participating in a legitimate speaking engagement provided that:

- Delivering the speech is not part of the public employee's official duties.
- Public resources are not used in the preparation of the speech.
- Public time is not taken for the preparation or delivery of the speech.
- Neither the sponsor of the address nor the source of the honorarium is a person or entity with whom the public employee has had or reasonably expects to have dealings in his official duties.
- The public employee makes a prior written disclosure.

4. ACTUAL OR POTENTIAL CONFLICTS OF INTEREST, VIOLATIONS OF THIS POLICY, OR VIOLATIONS OF THE LAW

Employees and town officials should immediately report and make inquiry about questionable items, gifts, benefits, or matters. Inquiries can be made with the Town or employees may go directly to the Town Administrator or to the Ethics Commission at 1-888-485-4766 (Attorney of the Day).

5. PROCEDURES AND INVESTIGATIONS

5.1. A violation of any aspect of this Policy can damage the integrity and harm the reputation of the Town of Dudley and all employees and town officials and may additionally place the employee or official in violation of Massachusetts law. The Town is fully committed to reviewing and/or investigating, as necessary, all reported incidents. Employees and officials who become aware of inappropriate conduct shall report it to their Department Head who shall report to the Town Administrator.

5.2. When management becomes aware of an incident, they shall document the incident as soon as possible and forward said information to their supervisor.

5.3. Employees and officials may have separate reporting requirements under the State Public Employee Ethics Laws, which are in addition to those described in this policy. Employees and officials must be aware of these reporting requirements, and when and under what circumstances State Public Employee Ethics Laws requires employees to make such Disclosures or other actions.

6. APPLICABLE STATUTES/LAWS

A number of laws are implicated by this Policy that outline unacceptable or unethical conduct in the workplace. These include, but are not limited to, any number of criminal and civil laws prohibiting unethical conduct, such as Massachusetts General Laws Chapter 268A and its regulations, as well as anti-discrimination and civil rights laws.

EMPLOYEE HANDBOOK ACKNOWLEDGEMENT

TOWN OF DUDLEY

ACKNOWLEDGEMENT OF RECEIPT

I have received a copy of the Town of Dudley Employee Handbook. I acknowledge that I have read these Policies and Procedures. I understand that this Handbook replaces any and all prior handbooks.

The information contained in the Employee Handbook is subject to change without notice as situations warrant, and I understand that changes in policy may supersede, modify, or eliminate the policies summarized in the Handbook. Changes in policy will be communicated to me through official notices. I accept responsibility for keeping informed of these changes.

I understand that either this Employee Handbook or any other written or verbal communication by representative of the Town is not intended to, in any way, create a contract of employment and that I am an at-will employee.

Signature

Print Name

Department

Date

Addendum A: Town of Dudley Telework Policy initials _____
Addendum B: Town of Dudley Professional Conduct Policy initials _____