



Town of Royalston Employment Policy

Effective Date of This Policy: September 4, 2018

EEO & ADA

The town is committed to the principles of the Equal Employment Opportunity (EEO) Act and will take positive action to guarantee adherence to the objectives of this policy. All applicants and employees will be treated without regard to race, creed, color, national origin, age, sex, sexual orientation, religion, marital status, veteran status or any other legally protected status.

In addition, the Americans with Disabilities Act (ADA) requires that all employers must offer equal employment opportunities for qualified individuals who may have a physical or mental disability, but can perform the essential functions of the job. The town will provide reasonable accommodation for such applicants and employees, if such accommodation does not result in undue hardship to the town.

Recruitment

1. **Notice of Vacancies.** Department heads shall, upon the identification of a vacancy or on the authorization of a new position, prepare a job vacancy notice. The job vacancy notice shall include the job title, major duties of the position, qualifications, salary, a closing date for applications, and application instructions.
2. **Posting and Advertisement of Permanent Job Vacancy Notices.** When a position becomes vacant and needs to be filled or when a new position is created, that opening shall be posted in a conspicuous place in Town Hall. This notice of vacancy shall remain posted for seven calendar days. Current employees interested shall apply in writing within the seven-calendar-day period. If no suitable employee candidates are available, the job shall then be posted in a local newspaper at least 14 days prior to the closing date for applications.
3. **Applications.** All candidates applying for employment in the Town shall submit a résumé or complete an employment application form as specified in the posting prior to the end of the working day of the closing date specified in the position announcement.
4. **Examinations.** The appointing authority may require an examination as part of the selection process. Examinations may be written, oral, practical, physical, medical or any combination thereof and shall be relevant to the requirements of the position.
5. **References.** A candidate's former employers, supervisors, and other references shall be contacted as part of the selection process. References and other background investigations shall be documented and made part of the applicant's file. All reference checks and investigations shall be completed prior to the offer of employment.

6. **Confidentiality.** Appointing authorities, department heads and the Personnel Board shall, to the extent possible, maintain the confidentiality of all applications.

Appointment

All appointments shall be made in writing by the appointing authority. The written notice of appointment shall include the salary, the starting date, and appropriate additional information.

Failure to Report

An applicant who accepts an appointment and fails to report to work within three days after the date set by the appointing authority shall be deemed to have declined the appointment, and the offer of employment shall be withdrawn.

Orientation

The appointing authorities or their designee shall:

1. Notify the new employee of a date, time and designated location for starting work. If the new employee is subject to provisions of a collective bargaining agreement, the employee shall be provided with a copy of such agreement.
2. Provide the employee with a copy of these personnel rules and regulations
3. Thoroughly explain all the benefits and options the employee is entitled to and assist the employee with completion of appropriate forms
4. Provide on-site training and orientation regarding specific rules, regulations, policies and procedures of the employee's assigned department including the safety policies and procedures

Probationary Period

All newly appointed and promoted employees must successfully complete a six-month probationary period. During this period the appointing authority and/or department head will observe the employee's attitude, conduct and work habits and at reasonable intervals discuss work performance with the probationary employee. The appointing authority or department head will document these discussions.

Upon expiration of the probationary period, the appointing authority and/or department head will notify the probationary employee that:

1. The employee's performance meets satisfactory standards and the individual will be retained in the position; or
2. The employee's performance, due to extenuating circumstances, requires additional observation and the probationary period will be extended an additional period of time not to exceed three months; or
3. The employee's performance, attitude, conduct and/or work habits were unsatisfactory, stating the specific reasons, and that removal will occur.

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

the removal.

Personnel Records

Department heads or the Personnel Board shall maintain personnel records as may be required by law and as necessary for effective personnel management. All employees shall comply with and assist in furnishing records, reports and information as may be requested by the department head or Personnel Board.

Contents of Records. The department head or Personnel Board shall maintain an individual personnel file for each employee which may include but not be limited to the following:

1. The employment application or résumé
2. A copy of any documented reference checks, background investigative reports, and correspondence related to the employee's past employment
3. A copy of any physical and psychiatric examination reports and health reports only as they relate to capacity to do the job
4. A report of personnel actions relating to the original appointment, promotion, demotion, change of title, reassignment, transfer, separation or layoff
5. Training records, records of disciplinary action, commendations, performance evaluations, and any other records that may be pertinent

Access to Records. Personnel records shall be considered confidential and access to records shall, unless circumstances dictate otherwise, be limited to the chair of the Personnel Board, persons authorized by the Personnel Board, the Select Board, appointing authorities, and department heads. Any employee may upon request to his or her appointing authority review that file in the presence of the department head or appointing authority.

Release of Information. Unless written authorization is received from an employee, no information concerning an employee shall be released except to verify dates of employment and position held.

Standards of Conduct

Town employees shall avoid any action which might create the impression of using public office for private gain, giving preferential treatment to any person, or losing impartiality in conducting town business. Employees are expected to conduct themselves in a manner which in no way discredits the town, public officials or fellow employees.

Alcohol- and Drug-Free Workplace

Town employees shall not engage in the unlawful manufacture, use, dispensing, distribution, or possession of alcohol or controlled substances in the workplace. Any employee found in violation of this provision may be disciplined up to and including discharge. Local and other law enforcement authorities may be notified on a case-by-case basis for appropriate enforcement action.

Sexual Harassment and Bullying

The town will respond promptly to any complaint of sexual harassment or workplace bullying, and when it is determined that such conduct has occurred, it will act to eliminate the conduct

and impose such corrective action as is necessary, including disciplinary action when appropriate. (See full Sexual Harassment Prevention Policy and Workplace Bullying Policy for details.)

Discipline

Reasons for Disciplinary Action. The following shall be sufficient cause for disciplinary action:

1. Incompetence or inefficiency in performing assigned duties
2. Inability to perform one or more critical elements of the position
3. Refusal to perform a reasonable amount of work, violation of any reasonable official order, or failure to carry out any lawful and reasonable directions made by a proper supervisor.
4. Habitual tardiness or absence from duty
5. Falsification of time sheets
6. Misuse or unauthorized use of town property
7. Fraud in securing appointment
8. Disclosure of confidential information
9. Abuse of sick leave or absence without leave
10. Conviction of a felony
11. Violation of safety rules, practices and policies
12. Violation of the alcohol- and drug-free workplace provision
13. Engaging in sexual harassment or bullying
14. Any situation or instance of such seriousness that disciplinary action is warranted

Disciplinary Procedures. Department heads and supervisors shall be responsible for enforcing rules and regulations. Disciplinary action shall include only the following:

1. **Oral reprimand.** A department head observing action of an employee warranting disciplinary action may issue an oral warning to the employee. The oral warning shall be presented with maximum regard for minimizing embarrassment to the employee and shall include a statement concerning the purpose of the warning. An oral reprimand shall be noted in the employee's personnel file.
2. **Written reprimand.** If an oral warning shall fail to correct an action warranting disciplinary action, the department head shall issue a written warning including reasons for the warning and an offer to assistance on the part of the department head in correcting the unsatisfactory situation. A copy of the written warning shall be placed in the employee's personnel file and carry a specified period in which the behavior shall be improved.
3. **Suspension.** At the discretion of a department head and with sufficient cause a department head may suspend an employee without pay for a period or periods not to exceed 20 working days in any 12-month period. Suspension may be in lieu of oral reprimand, written reprimand, and disciplinary probation and may be effective immediately. Within 48 hours of the effective date of the suspension, the employee shall be provided with a written notice stating the reasons for and the length of the suspension.
4. **Discharge.** An employee may be discharged for unsatisfactory job performance, violation of town regulations, or after the exhausting of other disciplinary procedures.

The department head or appointing authority shall provide the employee with a written notice stating the reason or reasons for the discharge and the effective date of the discharge.

Grievance Procedure

The intent of this grievance procedure is to reconcile employee grievances in an appropriate and effective manner. Participants in the grievance are expected to act appropriately and respect the process.

Grievances shall relate to improper application of this personnel policy or disciplinary procedures and shall be resolved in the following manner:

1. An aggrieved employee is encouraged to discuss any matter of dispute with a department head in a mutual effort to resolve any problem or misunderstanding. Failing to resolve the grievance in an informal manner, an aggrieved employee may present it in writing to a department head along with any other pertinent information and indicating what relief is desired. Within five working days of receipt of a grievance, the department shall provide an answer in writing to the aggrieved employee.
2. If the grievance had not been resolved as provided in (1) above, the aggrieved employee may within five working days after receipt of the written answer from the department head or within 10 working days after presentation of the grievance to the department head present the grievance in writing to the Personnel Board. The Personnel Board (or the Select Board sitting as the Personnel Board) shall schedule a hearing on the grievance within 20 days after its receipt and shall answer the grievance in writing within 10 days after such hearing.
3. If the grievance has not been resolved as provided in (2) above and if the town has a Personnel Board separate from the Select Board, the aggrieved employee may within 10 working days after receipt of the written answer from the Personnel Board present the grievance in writing to the Select Board. The Select Board shall schedule a hearing on the grievance and shall answer the grievance within 30 days after its receipt.