TOWN OF PLYMOUTH

CLASSIFICATION AND COMPENSATION PLAN

AND

PERSONNEL BYLAW

APPROVED APRIL 2014
SPRING TOWN MEETING

TOWN OF PLYMOUTH
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AND PERSONNEL BYLAW

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TOWN OF PLYMOUTH
CLASSIFICATION AND COMPENSATION PLAN
AND PERSONNEL BYLAW

SECTION 1. BYLAW AUTHORIZATION:

Pursuant to the authority contained in Sections 108A and 108Cof Chapter 41 of the General Laws, there shall be established plans, which may be amended in accordance with the Personnel Bylaw of the Town of Plymouth from time to time by vote of the Town at a Town Meeting. Within this authority the following charges are contained:

a. Classifying positions in the service of the Town, other than those filled by popular election, those under the jurisdiction of the Board of Retirement, Town Counsel, certain positions for which the compensation is on a fee basis or the incumbents of which render intermittent or casual service; and which do not appear in Schedule A of Section 7 following into groups and classes having substantially equal responsibilities.

b. Authorizing a compensation plan for positions in the classification plan.

c. Providing for the administration of said classification plan.

d. Establishing certain working conditions and fringe benefits for employees occupying positions in the classification plan.

SECTION 2. DEFINITION OF BYLAW TERMS:

As used in this Bylaw, the following words and phrases shall have the following meanings unless a different construction is clearly required by the context of the laws of the commonwealth*:*

Words or Phrase	Definition
Administrative Authority	The elected official or board, or the appointed official having jurisdiction over function or activity.

Words or Phrase	Definition
Class	A group of positions in the Town service sufficiently similar in respect to duties and responsibilities so that the same descriptive title may be used to designate each position allocated to the class, that the same qualifications shall be required of the incumbents, that the same tests of fitness may be used to choose qualified employees and that the same scale of compensation can be made to apply with equity.
Classification Plan	Class titles of Schedule A, of Section 7, of this Bylaw plus class specifications which are on file with the Human Resources Office and which are hereby incorporated by reference.
Compensation Grade	Grade is based on the level of the positions, duties, responsibilities and requirements. Each position has an assigned grade as indicated in Sections 7 through 10.
Compensation Plan	The totality of all Wage and Salary schedules as shown in Sections 7 through 10.
Compensation Range	Each position has a definite compensation range, which is the dollar difference between minimum and maximum rates.
Continuous Employment	Employment uninterrupted except for required military service and for authorized vacation leave, sick leave, bereavement leave, Family Medical Leave or other paid leave of absence.
Department	Any department, board, committee, Commission or other agency of the Town subject to this Bylaw.
Employee	An individual occupying a position in the Town's classification plan.
Full-time Employee	An employee retained in full-time employment.

Words or Phrase	Definition
Full-time Employment	Employment not less than thirty- seven and a half hours per week for fifty-two weeks per annum, minus legal holidays and authorized vacation leave, sick leave, bereavement leave and other authorized paid leave of absence.
Group	An occupational group of classes appearing in Schedule A of Section 7.
Increment	The dollar difference between each step rate in the compensation range.
Intermittent Service	Personal service rendered by an employee in a position calling for part-time employment which service, although constituting continuous employment, is not rendered during prescribed working hours, daily, weekly or annually, but is rendered according to the demands for such service.
Maximum Rate	The highest rate in the compensation range which an employee normally can attain.
Minimum Rate	The lowest rate in the compensation range which is normally the hiring rate of a new employee.
Part-time Employee	An employee retained in part-time employment.
Part-time Employment	Employment for less than full-time employment as defined.
Personal Rate	A rate above the maximum rate of the compensation range applicable only to a designated employee.
Position	An office or position of employment in the Town service with duties and responsibilities calling for full-time or part-time employment of one person in the performance and exercise thereof.
Position Class	Same as ‘Class’ (a class may include only one position, in which event it is defined as ‘single position class’.)

Words or Phrase	Definition
Promotion	A change from a position of lower class and compensation grade to a position with greater responsibilities in a higher class and compensation grade.
Range	The dollar difference between minimum and maximum rates.
Rate	A sum of money designated as compensation for hourly, weekly, semi-monthly or annual personal services.
Regular Employee	(1) Any employee retained on a regular basis in a classified position as defined. (2) Any employee holding a permanent appointment under Civil Service Law to a position deemed permanent within the meaning of said law.
Temporary Employee	(1) An employee retained in a temporary or seasonal position as defined. (2) Any employee holding a temporary appointment under Civil Service Law who does not also have permanent status thereunder.
Temporary Position or Seasonal Position	Any position in the Town service which is FUNDED AND INTENDED to require the services of an incumbent for a period not exceeding six calendar months; a seasonal workweek of its occupational group shall be considered as part-time.
Town	The Town of Plymouth.
Vacation Leave	Number of regular days worked during all calendar weeks including normal days off. Paid leave is to be authorized by Department Head or Town Manager.

SECTION 3.

(a) The Town Manager shall administer the plans and shall establish such procedures as it deems necessary for the proper administration thereof.

(b) The Human Resources Director shall maintain adequate personnel records of all employees occupying positions subject to the classification and compensation plans, said records to be kept in the Human Resources Department. Department heads shall provide such information as the Human Resources Director may request.

(c) The Human Resources Director shall maintain written job descriptions or specifications of the classes in the classification plans, each consisting of a statement describing the essential nature of the work and the characteristics that distinguish the class from other classes. The description for any class shall be construed solely as means of identification and not as prescribing what the duties or responsibilities of any position shall be, or as modifying, or in any way affecting the power of any administrative authority, as otherwise existing, to appoint, to assign duties to, or to direct and control the work of any employees under the jurisdiction of such authority.

(d) Upon recommendation of a department head, supported by evidence in writing by the Human Resources Director, of special reasons and exceptional circumstances satisfactory to the Town Manager, the Town Manager may authorize an entrance rate higher than the minimum rate for a position, and/or such other variance in the compensation plan as it may deem necessary for the proper functioning of the services of the Town. No variance shall become effective unless, or until, the necessary funds have been appropriated therefor.

(e) The Human Resources Director shall provide applications for a standard employment form to be used by all departments.

(f) The Human Resources Director shall be the sole depository of all official employment records. All personnel files shall be confidential. Release of individual personnel data or information must be approved by the Human Resources Director or the Town Manager. Each employee may view his/her own file, and the respective Department Heads may view the personnel files of those employees whom they supervise.

(g) The Human Resources Director shall make an annual report in writing to the Town Clerk on or before January 10 of each year.

(h) The Human Resources Director shall investigate the standard rates of salaries or wages of any or all positions subject to the provisions of this Bylaw. Such reviews shall be made at such intervals as the Human Resources Director deems necessary and to the extent which the Human Resources Director considers practical which may include all occupational groups in the classification plan.

SECTION 4. CLASSIFICATION PLAN

(a) The Human Resources Department will maintain a position classification plan including a written description of each class of positions in the Town service which describes the duties, authority and responsibilities characteristic of positions properly included in the class. No employee may be appointed to a position not included in the classification plan as approved by the Town Manager.

(b) Whenever a new position is established, or the duties of an existing position are so changed that in effect create a new position, upon presentation of substantiating data satisfactory to the Human Resources Director, the Human Resources Director shall recommend to the Town Manager that the position be allocated to its appropriate class.

(c) The title of each class, as established by the Classification Plan shall be the official title of every position allocated to the class and the official title of each incumbent of a position so allocated, and shall be used to the exclusion of all others on payrolls, budget estimates and other official records and reports pertaining to the position.

(d) No position may be reclassified or no class may be assigned to a different compensation grade, until the Town Manager, with the technical assistance of the Human Resources Director, has reviewed such reclassification or such reassignment for consistency with the classification and compensation plans.

(e) The first six months of employment shall be considered a training period. In the event that an employee continues employment beyond the training period, he or she shall be entitled to all of the rights and benefits under this Bylaw retroactive to the first day of employment.

(f) The Human Resources Director shall be notified whenever an employee's service with the Town terminates either by retirement or resignation.

SECTION 5. COMPENSATION PLAN

(a) The Compensation Plan shall consist of hourly wage schedules which provide for minimum and maximum rates for certain positions in the Classification Plan. The Compensation range of a position class shall be the Compensation Range of all positions allocated to the class.

(b) All employees shall continue to be paid on an hourly, weekly, semi-monthly, annual or other basis, as at present, except as provided in the compensation plan.

(c) No department head shall determine the salary of any employee in a position so classified except in accordance with the compensation plan.

(d) No person shall be appointed, employed or paid as an employee in any position subject to the provisions of the classification plan under any title other than those appearing on Schedule A of Section 7 except as provided in Section 4 (b) and 6 (c).

(e) An employee in continuous full-time or part-time employment shall receive the increment between his/her present rate and the next higher step rate as follows:

(1) All step or merit increases will take effect either July 1 or January 1 whichever falls after the employee has completed 30 weeks.

(2) Employees in continuous PERMANENT part-time employment in a PERMANENT POSITION eligible for increments under the provision of this sub-section shall be those occupying positions in classes for which compensation is provided.

(f) Any employee occupying a seasonal position shall be paid at the rate of pay specified for that position in the appropriate schedule of Section 7 of this Bylaw.

(g) A regular FULL-TIME employee receiving a promotion to a vacant position or to a new position as defined in Section 4 (b) shall, upon assignment resulting from such promotion, receive the salary in the compensation grade of the vacant or new position next above his/her existing salary. If the resulting adjustment does not equal $300.00 annually or $.15 per hour, the adjustment shall be to the second rate within the compensation grade of the vacant or new position.

(h) The employee receiving a promotion and adjustment in rate pursuant to the provisions of the preceding sub-section shall receive the next increment of

his/her compensation grade after 52 full weeks from the date of promotion.

(i) If an employee's rate of compensation is in excess of the maximum rate set forth in the appropriate compensation grade for the position, this rate shall not be reduced, but shall become a personal rate applicable only to said employees as defined in Section 2. Such employees shall not be eligible for any increases in compensation until the maximum rate of the new grade exceeds the employees' current rate. Such positions shall be reviewed annually.

(j) Each department head of a department to which is assigned an employee occupying a position in the classification plan shall include in his/her estimates required by the provisions of Section 59 of Chapter 41 of the General Laws a pay adjustment section setting forth in detail the amounts which will be required for anticipated pay adjustments during the ensuing year and shall furnish a copy thereof to the Human Resources Director.

(k) A regular full-time employee who temporarily serves for more than 2 consecutive weeks in a position for which the compensation is greater than that of his/her permanent position shall, after such 2 consecutive weeks of temporary service, be compensated at the minimum rate of the higher position, provided that such compensation be at least $300.00 per year or $.15 per hour greater than that of his/her permanent position. If necessary, such employee shall be compensated at the next higher rate in order to achieve at least the monetary difference in compensation stated above. Such compensation for temporary service shall not be retroactive.

(l) The adjustments provided for in this section shall be subject to the availability of appropriated funds.

(m) Effective June 30, 2012, a senior step will be added to the existing wage schedule three (3%) percent above the current maximum step. To be eligible for the senior step the employee must have completed seven (7) years of service with the Town and they must be at the maximum step of the current wage schedule.

SECTION 6. AUTHORITY FOR AMENDING BYLAWS:

(a) The Classification Plan and/or the Compensation Plan and/or other provisions of this Bylaw may be amended by vote of the Town at either a regular or a special Town Meeting. Requests for such amendments shall be made to the Human Resources Director by signed petition. All signed petitions requesting amendments of the Classification Plan and/or the Compensation Plan and/or

other provisions of this Bylaw must be submitted to the Human Resources Director no later than one hundred and twenty (120) days prior to a regular Town Meeting. Prior to the next Town Meeting the Human Resources Director shall file with the Board of Selectmen, for insertion in the warrant for the next Town Meeting an article sufficiently stated to permit the Town to act upon the subject matter of any such petition. At the same time, the Human Resources Director shall file with the Finance Committee a final report, with recommendations, pertaining to any such petition provided that no recommendation in favor of a proposed amendment shall be made except by the approval of the Town Manager.

(b) In the case of urgent necessity, the Town Manager may anticipate the formal action of Town Meeting by adding a new classification and pay plan, with the technical assistance of the Human Resources Director, and such addition will be effective subject to early ratification by the Town at a Town Meeting.

SECTION 7. SCHEDULE A: CLASSIFICATION OF POSITIONS

The following schedule constitutes the classification plans, compensation plans and the policies relative overtime and compensatory time.

SECTION 7.1

Group: Executive

Department Heads reporting to the Town Manager

Policy: The employee is not entitled to overtime pay or compensatory time off. Salary increases are performance based as determined by the Town Manager.

Titles:

E-6	Police Chief
E-6	Director of Public Works
E-6	Finance Director
E-6	Fire Chief
E-5	Director of Planning & Development
E-4	Assistant Town Manager
E-4	Director of Community Resources
E-3	Director of Marine and Environmental Affairs

E-3	Director of Inspectional Services
E-3	Human Resources Director

Group: Executive Management - Non-Union

Policy: The employee is not entitled to overtime pay, and is generally not entitled to take compensatory time off. However, employees requesting compensatory time due to special circumstances, shall seek the approval of their department head in writing and file with the Human Resources Director. Any employee denied compensatory time under this provision, may appeal to the Town Manager if they believe they have been treated inequitably.

Titles:

EM-8	Deputy Fire Chief
EM-8	Police Captain
EM-8	Assistant DPW Director
EM-7	Library Director
EM-2	Benefits Administrator/HR Assistant
EM-2	Special Assistant to Town Manager

Group: Administrative - Non-Union

Policy: Non-exempt administrative employees covered by this section are eligible for overtime according to the provisions of the Fair Labor Standards Act. Departmental policies will govern the application of overtime/compensatory time in accordance with these provisions.

Titles:

A-6	Administrative Assistant-Town Manager
A-6	Business Manager-Police Department
A-5	Administrative Assistant-Board of Selectmen
A-5	Administrative Assistant-Human Resources

SECTION 7.3

Group: Miscellaneous Schedule D – Non Union

Policy: Employees will be compensated according to Part-time and Seasonal Schedule.

*A 2% COLA will be effective January 1, 2012 for this group.

Titles:

P	Animal Inspector
S	Basketball Official
S	Basketball Program Director
S	Caretaker (Less Value of Concession)
P	Election Worker
S	Harbormaster's Assistant
S	Head Lifeguard
S	Information Aide
P	Library Page
S	Lifeguard
S	Matron
S	Museum Director
S	Natural Resource Assistant
S	Beach Parking Attendant
P	Police Matron
S	Recreation Instructor
S	Recreation Supervisor Beaches and Ponds
S	Seasonal Laborer
S	Seasonal Office Worker
S	Seasonal Repairman
P	Sports Clinic Director
P	Sports Clinic Assistant
S	Swimming Instructor
S	Warden (Election)

SECTION 8. PART-TIME POSITIONS CLASSIFIED IN CLERICAL GROUP:

Employees occupying clerical positions in continuous part-time employment shall be compensated at hourly rates appearing under Schedule C. Clerical Salary Schedule.

SECTION 9. PART-TIME POSITIONS IN LIBRARY GROUP:

Employees occupying library positions in continuous part-time employment shall be compensated at hourly rates appearing in Schedule C. Library Salary Schedule.

Library positions in a substitute status shall be compensated at the minimum rate of compensation for that grade level.

SECTION 10. PART-TIME AND SEASONAL POSITIONS CLASSIFIED IN DEPARTMENT OF PUBLIC WORKS GROUP:

Employees occupying part-time and/or seasonal positions in the Department of Public Works shall be compensated at the rates set forth in their respective schedules.

SECTION 11. DEFINITION OF WORK WEEK:

The following table defines the normal full-time workweek for each occupational group. The figures stand for hours per week unless otherwise noted.

WORK WEEK	OCCUPATIONAL GROUP
As Required	Administrative Group
40	Airport Group
37.5-40	Clerical Group
As Required	Executive Group
42	Fire Full-time
As Required	Fire Other(see Note A)
As Required	Inspector Group
40	Labor Group, Custodial Group
37.5	Library Group

40	Police Full-time
As Required	Police Other (see Note A)
As Required	Professional Group
As Required	Public Safety Group (see Note A)
As Required	Recreational Group (see Note A)
As Required	Supervisory Group (see Note A)

Note A. "As required" shall mean the total number of hours in the work week needed to perform the duties of the position, as determined by the appropriate administrative authority. In no case shall the work week be less than 37.5 hours, except in the case of those who are employed on a part-time basis. Their schedules shall be determined by the appropriate administrative authority. The actual work week commences at 12:01 A.M. Sunday and ends at 12:00 P.M. Saturday.

Note B. Members can select to work a 4 day work week subject to the needs of the Department and approval of Human Resources. Schedules must be on file with the Town in personnel file and subject revocation with 1 month notice. Schedule will be reviewed annually.

SECTION 12. PAID HOLIDAYS:

(a) The following days shall be recognized as legal holidays within the meaning of this Bylaw on the day designated by statute of the Commonwealth of Massachusetts:

Christmas Day	New Year's Day
Columbus Day	Patriot's Day
Independence Day	Thanksgiving Day
Labor Day	Washington's Birthday
Martin Luther King Day	Veteran's Day
Memorial Day	Day after Thanksgiving

On such days employees shall be excused from all duty not required to maintain essential Town services.

*The Town will allow employees to leave at noon on Christmas Eve and pay them for the full day if they are scheduled to work (not if they were already out (or approved to be out) on vacation or out sick or on any other paid or unpaid status). If for emergency reasons the employee is required to stay by the

Department Head, they will be given 4 hours paid time off at a mutually agreed upon day to be used within the 6 months from Christmas Eve.

(b) Every employee in full-time or continuous part-time employment shall be entitled to these designated holidays on the following terms:

(1) If paid on an hourly basis, he shall receive one day's pay at his/her regular rate based on the number of hours regularly worked on the day on which the designated holiday occurs.

(2) If paid on a weekly, semi-monthly or annual basis, he shall be granted each designated holiday without loss of pay.

(c) Payment under the provisions of this section shall be made provided the eligible employee shall have worked on his/her regularly scheduled working day prior to and his/her next regularly working day following each holiday, or was in full pay status on each preceding and following days in accordance with other provisions of this Bylaw.

(d) An employee in continuous employment occupying a position in other than Public Safety or Supervisory Groups who performs work on one of the days designated in subsection (a) shall be paid at his/her regular rate for such day or fraction thereof in addition to the amount to which he/she is entitled under sub-section

(e) At the request of the employee, he/she may be granted compensatory time off at the convenience of the department in lieu of payment provided under sub-section (d).

(f) An employee in continuous employment, in other than the Police and Fire Departments, who, because of a rotation of shifts, works different days in successive weeks shall be granted in each year in which the number of holidays falling on his/her regular day off is in excess of the number of holidays falling on Saturday, additional days off equal to the excess.

(g) Non Union Police Officers, of any rank or grade, will be entitled to the same holiday benefits as Superior Officers.

(h) Non Union Fire Department Officers, of any rank or grade, will be entitled to the same holiday benefits as Firefighters.

SECTION 13. LONGEVITY PAY:

Employees in continuous service, who have completed the number of years of continuous service set forth below, shall receive longevity payments in accordance with the calendar year in which said employee attains that particular level of years of service. The longevity payment shall be paid in a lump sum during the month of November, except if an employee retires after July 1, he/she shall receive his full longevity pay for that year in a lump sum with his/her final week's pay. Eligibility begins with the date of continuous employment. Part-time employees in the non-union group shall receive the longevity benefits listed below on a pro-rata basis. An employee's share of a benefit shall bear the same relationship to the total benefits as the employee's average work-week bears to a full-time work week.

Years of Service	Longevity Pay
5	$100
10	$200
15	$300
20	$550
25	$750
30	$1000

SECTION 14. DEFERRED COMPENSATION

The Town of Plymouth will match 15% of a permanent full-time employee's weekly contribution to an approved Town deferred compensation plan. This match is based on the maximum amount an employee can evenly contribute over a 52-week period without exceeding the IRS maximum annual regular contribution. Normal compensation is gross earnings less mandatory retirement contributions.

If an eligible employee should choose to participate in more than one plan, the Town will match the employee's contribution as above to only one deferred contribution plan.

SECTION 15 EARNED TIME

This section applies to all permanent, full-time, non-bargaining unit employees classified in Section 7.1 of the Personnel Bylaw

1. Eligibility

A new employee will accrue on a weekly basis earned leave time to a maximum of 28 days for non-exempt and 33 days for exempt employees for the first year. He/she shall be eligible to begin using earned time after four (4) months of service to the Town.

a. EXEMPT EMPLOYEES

ELIGIBILITY	ANNUAL ACCRUED TIME	MAXIMUM ALLOWABLE DAYS IN LTIA (W/O LTD)	MAXIMUM ALLOWABLE ACCRUED EARNED TIME
Year 1 through 4	33 days	180 (200) days	45
Year 5 through 9	38 days	180 (200) days	45
Year 10	40 days	180 (200) days	45
Year 20	45 days	180 (200) days	45

b. NON-EXEMPT EMPLOYEES

ELIGIBILITY	ANNUAL ACCRUED TIME	MAXIMUM ALLOWABLE DAYS IN LTIA (W/O LTD) DAYS	MAXIMUM ACCRUED EARNED TIME
Year 2 through 4	28 days	180 (200)	45

		days	
Year 5 through 9	33 days	180 (200) days	45
Year 10	38 days	180 (200) days	45

c. Usage

(1.) Requests for earned leave will be charged to an employee's accrued earned time account except for the following:

- absences for which employee is not entitled to be paid
- at the employee's option, absences due to illness that extend beyond two consecutive workdays

All such earned leave must be authorized by the Department Head or the Town Manager.

(2.) No employee may take more than two weeks of leave without the permission of the Town Manager.

(3.) When an employee's earned time account reaches the maximum of 45 days, additional accrual shall be disposed of, at the employee's election, as follows:

a. the employee may request to schedule 5 days off within the next 60 days; or
b. the employee may convert 5 days earned time to 8 days in the employee's LTIA.

(4.) An employee shall not be allowed to work during his/her earned leave and be compensated with extra pay without approval of the Department Head and the Human Resource Director.

2. Long Term Illness Account

Employees will be required to deposit at least ten (10) days per year and each year thereafter to the LTIA until the maximum of 180 days is reached (200 days if Long-Term Disability benefit is not selected). Effective July 1, 2014 all accruals earned, LTIA, and

other if applicable, are accrued and transferred based on a payroll period basis.

These accumulated days may be used at the employee's option when an absence for illness extends beyond two consecutive days. The Town Manager may require a medical examination of an employee who uses more than five days of LTIA before additional leave is authorized for this purpose. Up to 5 LTIA days per year may be used for family illness.

Payments made under the provisions of this section to any employee who is receiving Worker's Compensation payments shall be limited to the difference between the amount paid in Worker's Compensation and the employee's regular rate. These payments which are to be made by the Town shall continue for no more than six months unless extended beyond that period by the Town Manager.

In the event of payments made to an employee under the preceding paragraph, the Human Resource Director shall debit the employee's LTIA by such amounts as it is determined to be equitable in relation to such payments.

On December 1st of each year, any non-union employee who has one hundred eighty (180) days of LTIA may buy back up to ten (10) days at their current rate of pay. Non union employees must have accrued one hundred eighty days (180) of LTIA to be eligible.

3. Retirement or Voluntary Separation

A non-union employee who has at least one hundred (100) days in their LTIA account upon voluntary separation or retirement, will be compensated for each day at $30.00/day up to maximum of $5000.00.

In order to be eligible for this benefit, the employee must have been employed by the Town of Plymouth for ten (10) or more continuous years. Upon the death of an employee, the same benefit will be paid to the employee's estate.

SECTION 16. BEREAVEMENT LEAVE

Emergency leave up to four days may be allowed for death in an employee's immediate family; wife, husband, domestic partner, mother, father, child, brother, or sister, mother-in-law, father-in-law, grandparents, grandchildren, sister-in-law and brother-in-law, son-in-law or daughter-in-law. Bereavement leave shall begin with the date of death unless other arrangements are made with the department head.

SECTION 17. MILITARY LEAVE

Members of the military reserves on brief tours of military duty, such as the annual two-week tour of duty, or called to active duty, may be compensated by the Town for difference between the employee's regular pay and that received on military duty unless the military pay is higher than the employee's regular rate of pay.

SECTION 18. OPERATION OF BYLAW:

This Bylaw shall be operative only as to non-union employees whose positions are classified hereunder and for which positions minimum and maximum salaries, or single-rated salaries have been established by the vote of the Town at a Town Meeting.

SECTION 19. PHYSICAL EXAMINATION AND DRUG SCREENING:

Before appointment to a position in the classification plan requiring continuous service, a candidate shall have passed a physical examination satisfactory to the Human Resources Director or the Town Manager. The examining physician shall be appointed by the Director and the examination shall be at the expense of the Town. The examining physician shall advise the Director as to whether, in his/her opinion, the applicant is physically qualified to perform the duties of the position for which an application has been made, and the applicant shall complete a questionnaire which the Director will design. The examining physician's report shall be confidential and shall be deposited with the Retirement Board. Before appointment to a part- time position all candidates shall present a physician's certificate of good health valid within 12 months as a condition of employment. Such physician's certificate of health to be obtained at no expense to the Town and shall be confidential. The physician’s certificate shall advise the Director as to whether, in his/her opinion, the applicant is physically qualified to perform the duties of the position for which an application has been made and must be satisfactory to the Human Resources Director or the Town Manager. The Human Resources Director, in his/her discretion may require a part time candidate submit to an examination by a physician appointed by the Human Resources Director as circumstances may dictate.

SECTION 20. PHYSICAL EXAMINATION-SEASONAL:

Before appointment to a seasonal position all candidates shall present a physician's certificate of good health valid within 12 months as a condition of employment. Such physician's certificate of health to be obtained at no expense to the Town and shall be confidential.

SECTION 21. JOB POSTINGS:

When a position covered by this Bylaw becomes vacant, which the Town wishes to fill, notice of such vacancy shall be posted on a public bulletin board in the Town Office Building, listing the pay, duties, and qualifications for the position. This notice of vacancy shall remain posted for seven (7) working days, not including Saturdays, Sundays and holidays. Employees interested shall apply in writing within the seven (7) day period. The position shall then be advertised in the news media for an amount of time determined by the Human Resources Director.

SECTION 22. PROFESSIONAL DEVELOPMENT:

The Town will provide reimbursement to employees covered by Section 7.1 who have served at least one (1) year with the Town for professional development. The Town will reimburse the employee up to the maximum amount of $420 per fiscal year. All development must be job-related and designed to improve his/her performance in his/her particular department. Approval must be in advance by the Department Head and Appointing Authority. Reimbursement shall be provided on the basis of availability of appropriated funds.

SECTION 23. CAREER EDUCATIONAL INCENTIVE

Non-union Firefighters and Police Officers, of any rank or grade, will be entitled to the same percentage of Career Educational Incentive pay as are Firefighters and Police Superior Officers.

SECTION 24. CELL PHONE POLICY

There will be a cell phone reimbursement payment up to $50 for exempt employees who are required to carry a phone but choose to use their own personal phone rather than a work issued cell phone.

SECTION 25. OVERTIME PROVISION

Any time a non-exempt employee is required to return to work for a regularly scheduled meeting or any other business outside of their normal working hours, he/she shall be paid at the rate of time and one-half (1 ½) for all hours worked on recall with a guaranteed minimum of three (3) hours pay at time and one-half (1 ½) their normal rate. This provision applies only when there has been a break in service and is not recognized when extending a regular workday. Employees may receive an equivalent amount in compensatory time depending on funding availability and approval of

supervisor. The supervisor may deny compensatory time and the employee will be paid instead.

SECTION 26. UNIFORM ALLOWANCE

Non-union Firefighters and Police Officers, of any rank or grade, will be entitled to the same Uniform Allowance as are Firefighters and Police Superior Officers.

SECTION 27. EFFECT OF PARTIAL INVALIDITY:

The invalidity of any section of this Bylaw shall not invalidate any other section or provision thereof.

SECTION 28. PUBLICATION OF PERSONNEL BYLAW:

The Personnel By-law shall be updated following any Town Meeting where the by-law was amended and made available to any person by request.

SECTION 29. LIST OF BARGAINING AGREEMENTS:

1. American Federation of State, County, and Municipal Employees, AFL-CIO, Local 2824, Council 93, Dept. of Public Works, terms of Agreement July 1, 2006 through June 30, 2009.

2. Plymouth Police Superior Officers Association terms of agreement July 1, 2006 through June 30, 2009.

3. American Federation of State, County and Municipal Employees, Plymouth Public Library, terms of agreement July 1, 2009 through June 30, 2012.

4. Local 888, SEIU, Secretarial Clerical Workers, terms of agreement July 1, 2012 through June 30, 2015.

5. Plymouth Police Brotherhood, terms of agreement July 1, 2003 through June 30, 2006.

6. Local 2824, Council 93, American Federation of State, County and Municipal Employees, Police Dispatcher, terms of agreement July 1, 2006 through June 30, 2009.

7. Local 2824, Council 93, American Federation of State, County and Municipal Employees, School Crossing Guards, terms of agreement July 1, 2006 through

June 30, 2009.

8. Plymouth Firefighters, terms of agreement July 1, 2006 through June 30, 2009

9. Local 6, AFL-CIO, Office and Professional Employees International Union, terms of agreement July 1, 2012 through June 30, 2015.