TOWN OF STERLING

PERSONNEL BYLAWS
FY15

Effective July 1, 2014

Inclusive of ATM May 3, 2014
uploaded to the website July 3, 2014

A true copy
Attest:
Dawn E. Michanowicz
Town Clerk

Town Clerk's note: This document text was voted as attested at ATM May 3, 2014 and drafted by the HR Administrator. The Town Clerk is not responsible for omissions, clerical errors or the format.

Town of Sterling
Personnel Bylaw

The following history was not included in the vote at the ATM of May 3, 2014 however it is a reflection of the changes that have occurred since its inception.

PERSONNEL BYLAW
HISTORY

March 1, 1969	**Article #39**	**adoption of personnel bylaw**
March 7, 1970	**Article #42**	**amendment to Sections 7, 13, 14**
March 6, 1971	**Article #46**	**amendment to Sections 7, & 13**
March 4, 1972	**Article #38**	**amendment to Section 7**
Oct. 10, 1972	**Article #14**	**amendment to Section 14(b)**
March 3, 1973	**Article #28**	**amendment to Section 7**
May 4, 1974	**Article #3**	**amendment to Section 7**
May 3, 1975	**Article #3**	**amendment to Section 7, 12(a)**
May 1, 1976	**Article #3**	**amendment to Section 7**
May 7, 1977	**Article #3**	**amendment to Section 7**
April 27, 1978	**Article #3**	**amendment to Section 7**
April 30, 1979	**Article #1**	**amendment to Sections 7(A,B,C), 12, 15, 18**
April 28, 1980	**Article #1**	**amendment to Sections 7(A,B,C), 13**
April 27, 1981	**Article #1**	**amendment to Section 7**
April 26, 1982	**Article #1**	**amendment to Section 7**
April 25, 1983	**Article #1**	**amendment to Section 7**
April 30, 1984	**Article #1**	**amendment to Sections 5, 7, 12, 14, 15**
Jan. 7, 1985	**Article #1**	**amendment to Section 7(C)**
April 29, 1985	**Article #1**	**amendment to Sections 3, 13, 14, 7,**
April 28, 1986	**Article #1**	**amendment to Section 7**
April 27, 1987	**Article #1**	**amendment to Sections 7, 3, 14, 18**
April 25, 1988	**Article #1**	**amendment to Section 7 (A,B,C,D)**
Feb 27, 1989	**Article #12**	**amendment to Section 7 (dispatcher differential)**
June 5, 1989	**Article #1**	**amendment to Section 13 (position classes)**
June 5, 1989	**Article #53**	**rescind and replace complete bylaw**
May 14, 1990	**Article #1**	**amendment to Section 13 (A,B,C,D)**
May 13, 1991	**Article #1**	**amendment to Section 13 (B,D)**
May 30, 1992	**Article #1**	**amendment to Section 13 (B,C,D)**
May 23, 1994	**Article #3**	**establish Executive Secretary Position & Wage**
Oct 17, 1994	**Article #3**	**amendment to Section 13 (B,C,D)**
May 22, 1995	**Article #1**	**amendment to Section 13 (A,B)**
	Article #2	**amendment to Section 10 (E)**
May 18, 1996	**Article #7**	**amendment to Section 13 (B,C,D)**
May 17, 1997	**Article #14**	**amendment to Section 13 (B,C,D)**
	Article #44	**establish Harassment Policy**
May 11, 1998	**Article #1**	**amendment to Section 13 (B)**
	Article #38	**amendment to Section 6 (H)**
March 15, 1999	**Article #9**	**delete and substitute new Schedules B,C,D**
May 13, 2000	**Article #4**	**delete and substitute new Schedules B,C,D**
May 13, 2000	**Article #5**	**add to Section 13, Schedule E**
May 14, 2001	**Article #2**	**revision of Bylaw**
May 13, 2002	**Article #2**	**miscellaneous Compensation Schedule/Attachment A**
May 12, 2003	**Article #10**	**amendment to Section 14 subsection "Fire and EMS Personnel Compensation Grade"**

Town of Sterling
Personnel Bylaw

May 16, 2005 ATM	Article #1	new Classification grades and Compensation
Nov 13, 2006 STM	Article #5	grade Increase for Admin Asst for Planning Board
May 12, 2008 ATM	Article #8	hiring and reclassification Plan
Nov. 17, 2008 STM	Article #12	create new Library positions
	Article #17	create new Facility Manager position
May 11, 2009	Article # 8	amend Classification and Compensation Plan
	Article #9	create Human Resource Officer
	Article #10	reclassification of Accounting Clerk to Administrative Asst
May 17, 2010	Article #17	delete Personnel bylaw and replace w/the new revision
May 16, 2011	Article #16	amend Attachment A
	Article #17	amend Attachment B
	Article #18	amend technical amendments, section 6D
	Article #19	amend hiring/promotion Compensation plan reducing from 15 Steps to 13 Steps, and amend section 6B and section 6C
May 12, 2012 STM	Article #6	amend and fund Library positions Attachment A
	Article #7	create and fund new position-Outreach Aide Schedule D for $10-$15/hour plus $5,874 for first year of salary
	Article #8	create and fund 2 new positions-Custodians for $28,000
May 12, 2012 ATM	Article #13	amend Classification and Compensation Schedules A through E, verbiage
	Article #15	amend section D Authority
Nov. 13, 2012 STM	Article #10	re-classify entire Attachment A and Compensation Schedule B and Schedule C
May 13, 2013 STM	Article #2	Amend Attachment A and B; meals site, outreach Aide and Town Planner
	Article #3	Approve Dispatchers Contract FY14-FY16
May 13/14, 2013 ATM	Article #15	Amend Personnel Bylaw and re-classify entire Attachment A, B, C, D and E
May 3, 2014 ATM	Art. 6	Amend Personnel Bylaw as wage and classification plan and benefits; other terms of employment will be contained in an Employee Personnel Handbook
	Art. 7	Re-classify entire Attachments A,B,C,D and E with 2% adjustment; no changes to F and G

Town of Sterling
Personnel Bylaw

[Attachments A,B,C,D,E,F and G are at the end of this Bylaw]

SECTION 1: AUTHORIZATION and DISCLAIMER

Pursuant to the authority contained in MGL Ch41, Sections 108A and 108C [MGL Ch41:sec 108A and 108C], the Town of Sterling establishes a Personnel Bylaw (this bylaw) that consolidates all provisions pertaining to the administration of its personnel including among other things, the compensation plan, and a Personnel Board ("the Board) for the purpose of administering said plans or other provisions of its bylaws pertaining to personnel, determining any questions arising there under, and advising the town in any matters pertaining thereto.

The Classification Plan and/or Compensation Plan or any other provisions of this Bylaw may be amended by vote of the Town at either an Annual or Special Town Meeting. No amendment shall be considered or voted on by Town Meeting unless the proposed amendment has first been considered by the Personnel Board. The Board, of its own motion, may propose an amendment to the plans, policies or other provisions of this Bylaw based on its findings resulting from its investigations. The Personnel Board shall report its recommendations on any proposed amendment to the Board of Selectmen. The Board shall submit any amendment to this Bylaw that has a financial impact to the Finance Committee for their review and comment. The Board shall make its recommendations with regard to any amendment at the Town Meeting at which such amendment is considered.

The Personnel Board hereinafter referred to as the Board may, at its own discretion, or on the advice of the Appointing Authority (as defined herein), or on the advice of the Town's Administration, draft and adopt procedures that it believes to be required for the purpose of administering this bylaw and the Personnel practices of the Town. Such procedures shall be enacted by the Personnel Board after:

A. Conducting a public hearing if required under MGL Ch 30A, Section 2 or MGL Ch 41, Section 108A and 108C **[MGL Ch30A:2 or MGL Ch40:108A and 108C]**
B. They have been reviewed and approved by a majority of the members of the Personnel Board at an open meeting

Nothing in any of the Town of Sterling's Personnel Rules, Policies, Procedures or other documents relating to employment with the Town of Sterling ("the Town") creates any express or implied contract or guarantee of continued employment for a specific term. No past practices or procedures, whether oral or written, from any express or implied agreement or contract to continue such practices or procedures. No promises or assurances, whether written or oral, which are contrary to or inconsistent with the limitations set forth in this paragraph create any contract of employment unless: 1) the terms are put in writing, 2) the document is labeled "Contract," 3) the document states the duration of employment, and 4) the document is signed by the Board of Selectmen or Appointing Authority.

Employees of the Town that are not otherwise covered by a collective bargaining agreement, employment agreement, or State Civil Service statutes are at-will employees. Either party may terminate the employment relationship at any time with good cause as long as it is not based on a

discriminatory motive. The Term "Good Cause" shall include but not be limited to the following: incapacity other than temporary illness, inefficiency, incompetence, insubordination and conduct unbecoming the office.
This Bylaw shall apply to all Town Departments and to all positions of all employees in the service of the Town, whether full or part-time, temporary, seasonal, special, per diem or any other type of employment, other than those positions which are filled by popular election, those under the jurisdiction of the School Committees, those within the Municipal Light Department, and those positions which are covered by separate agreements between any employee or Association of Employees and the Town developed through Collective Bargaining. If any agreement between an employee or Association of Employees and the Town does not address any item addressed in Section 10 B, C, and D, then the provisions of Section 10 B, C, and D shall apply to those employees.

SECTION 2: PERSONNEL BOARD

A. MEMBERSHIP

There shall be a Personnel Board consisting of five (5) members appointed by the Board of Selectmen, the Town Moderator and the Finance Committee, each entity having one vote for a total of three (3) votes. The membership of the Board shall be made up of residents of the Town who are neither employees of the Town, nor appointed or elected officials of the Town. Members should have a working knowledge of personnel practices and procedures in a municipal or corporate work setting. All members of said Board shall be residents of the town and shall serve without compensation. Except when an appointment is made to serve the balance of an unexpired term, each member of the Board shall serve for a term of three years. Appointments shall be made in such a fashion that they will expire on June 30th of a given year. Each member shall continue to hold office until their successor has been appointed, qualified and sworn in by the Town Clerk, but in no instance for a period of greater than sixty (60) days after their term has expired. Members of the Personnel Board serving upon the effective date of this Bylaw shall serve until the expiration of their respective terms. Upon the expiration of such terms members shall be appointed for successive three-year terms by vote of the Board of Selectmen, the Moderator and the Finance Committee as specified above.

If a member resigns or a member's office becomes vacant by removal from the Town, or any other cause, their successor shall be appointed for the balance of the unexpired term of such member. The Town Clerk shall have sole authority to determine if a person has fulfilled their oath of office, or moved out of town or a position is otherwise vacant. A member may be removed from the Personnel Board at any time, with or without cause, by vote of the Board of Selectmen, the Moderator and the Finance Committee in the same manner as appointments are made.

B. ORGANIZATION

The Personnel Board shall organize annually, as soon as possible after July 1st of each year, at the call of the then Chairman, or lacking a Chairman any member of the Board, and shall elect a Chairman and appoint a Secretary from among its members. The Chairman shall hold office until

his/her successor has been elected. In the event a vacancy occurs in the office of the Chairman, the Personnel Board shall elect a successor Chairman from among its members, such successor to serve until the next organizational meeting of the Personnel Board and until his/her successor has been elected. A majority of the Board shall constitute a quorum for the transaction of business. A majority vote of the Board shall determine the action the Board must take in all matters upon which it is authorized or required to pass under this Bylaw. In the event that a bare quorum of the Board only is present, there must be a unanimous vote. A bare quorum of the Board may not enact or amend any existing policy or procedures.

C. ADMINISTRATION

The Board shall be responsible for the review and recommendation of all changes to the Town's Personnel Bylaw, and the establishment of all policies pertaining to the provision of human resource services to employees covered by the provisions of this Bylaw that it deems necessary for the proper administration thereof.

D. PERSONNEL RECORDS

The Human Resources Administrator, as agent of the Personnel Board, shall be responsible for the maintenance of official personnel files for all employees in the service of the Town, other than those under the jurisdiction of the School Committees, or those within the Municipal Light Department, including therein such information as required by law or as deemed desirable by the Personnel Board. Said records shall be shall be kept in the office of the Town Treasurer/Collector and shall include all original documentation pertaining to each employee in accordance with applicable state and/or federal regulations. Department heads may maintain files supporting departmental actions. Department Heads shall furnish such information as shall be requested by Human Resources Administrator on behalf of the Personnel Board.

Current and/or former Town employees have the right to examine their personnel files pursuant to G.L. c. 149, Sec. 52C **[MGL Ch149:52C]**. No personnel files may be taken out of the Treasurer/Collector's office without consent of the Human Resource Administrator.

The Human Resources Administrator, as agent of the Personnel Board, shall provide a copy of the Personnel Bylaw to each new employee and Department Head. The employee shall execute an acknowledgement form indicating receipt of the Bylaw. The original signed acknowledgement shall be placed in the employee's personnel file.

Pursuant to G.L. c. 149, Sec. 52C **[MGL Ch149:52C]**, the HR Administrator will notify an employee within (10) days of placing information in an employee's personnel file that is, has been used, or may be used, to negatively or positively affect an employee's qualification for employment, promotion, transfer, additional compensation or subject to disciplinary action.

E. AUTHORITY

The Human Resources Administrator, from time to time, will review provisions of this Bylaw and shall recommend any changes or adjustments to the Personnel Bylaw and the Classification

Compensation Plan for approval by the Personnel Board. Such reviews shall be made at intervals as the Human Resource Administrator or Board deems necessary and, to the extent which the Board considers practicable, shall include all occupational groups in the Classification Plan (Attachment A).

The Board may employ assistance and incur expenses as it deems necessary, subject to the appropriation of funds therefore.

Each year, the Personnel Board shall make a recommendation at the Annual Town Meeting for an appropriate compensation adjustment for all employees in the Town through either a "step increase" or a "cost of living adjustment", or some other means.

SECTION 3: DEFINITIONS

As used in the Bylaw, the following terms shall have the meaning indicated:

ABSENCE - Any time an employee is not at work during a scheduled work period.

ADMINISTRATIVE AUTHORITY - The elected or appointed official or Board, Committee, Commission, or other Agency having jurisdiction over a function or activity.

ALLOCATION - The placing of a position in its proper classification or grade level, based upon duties required by the Town to be performed, the level of accountability, independence and supervisory responsibilities exercised.

ANNIVERSARY DATE - The date of initial employment to a position as an employee of the Town.

APPOINTING AUTHORITY - Any person(s), Board, Committee, Commission, or other Agency who has the right to hire or discharge employees.

CLASS - A group of positions in the Town service sufficiently comparable in respect to duties and responsibilities so that the descriptive title may be used to designate each position allocated to the Class, that comparable qualifications shall be required of the incumbents, that comparable tests of fitness may be used to choose qualified employees.

CLASSIFICATION PLAN - Class specifications and position titles and rules for administering the classification of positions as approved by the Personnel Board and Town Meeting. appearing as Attachment A in this Bylaw.

COMPENSATION GRADE - A salary range (Minimum/Maximum) consistent with a Classification Level appearing in the Town's Compensation Plan in this Bylaw (Attachment B).

COMPENSATION PLAN - Specified rates of pay for each job classification included in the Classification Plan (Attachment A) and Benefits as included in the various sections of this Bylaw.

CONTINUOUS SERVICE - Length of employment with the Town of Sterling, uninterrupted except for authorized military leave, vacation leave, sick leave, court leave, disability, maternal/paternal leave, or any other authorized leave of absence, if applicable and covered in the terms of this bylaw. Service shall not be considered as continuous if there is a break of service resulting in an employee being in a non-pay status for a period of time exceeding thirty (30) days excepting authorized leaves of absence.

DEPARTMENT – A functional unit of town government with employees.

EMPLOYEE - Any person who is paid by the Town for services rendered to the Town and occupies a position in the Classification Plan (Attachment A or Attachment B) or is a member of a collective bargaining group, excluding elected officials, independent contractors, Municipal Light Department employees, and persons under the direction of the School Committees.

EXEMPT POSITION- - An employee who is classified as "exempt" under the provisions of the Fair Labor Standards Act (FLSA) is required to perform management, administrative responsibilities or require specialized professional qualifications and is paid a salary for all hours worked and therefore is not eligible for overtime compensation.

FULL PAY STATUS: An employee who is legally employed by the Town and is entitled to be paid in accordance with the provisions of this Bylaw a specific dollar amount, expressed as either an annual rate, weekly rate or hourly rate as shown in the Town's Classification and Compensation Plan (Schedules B, C, D and E) excepting authorized leaves of absence in accordance with this Bylaw.

GOOD STANDING: An employee who is legally employed by the Town and is compensated through the Town's payroll for their services on a continuous basis and is eligible for benefits covered in this Bylaw.

IMMEDIATE FAMILY: Defined as spouse, mother, father, child, including step child, brother, sister, brother-in-law, sister-in-law, mother-in-law, father-in-law, grandparents, grandchild, aunt, uncle, niece, nephew, step parent, step sister, step brother, person residing in the same household or partner.

INTERIM APPOINTMENT – Employees who are filling in for a more senior person for a continuous period of time greater than ten (10) working days. Employees may receive special pay consideration as determined based on the recommendation of the Town Administrator or

Appointing Authority and subject to the approval by the Personnel Board. The rate of compensation will be based on length of assignment, the level of the employee's performance and the classification level (salary range) of the senior person, market conditions and qualifications of the employee subject to verification of available funding.

JOB CLASSSIFICATION - A particular job title within the Classification Plan.

MAXIMUM RATE OF PAY - The highest rate of pay in a classification level.

MINIMUM RATE - The lowest rate of compensation in a classification level

NON-EXEMPT POSITION – In accordance with the provisions of the FLSA, an employee who is not classified as an exempt employee. Non-exempt employees will be paid overtime at a rate of pay of 1 and ½ times their regular hourly rate of pay for all hours that the Town requires an employee to work greater than 40 hours in a work week.

PART-TIME EMPLOYEE: An employee who is required to work up to 52.2 weeks per year for less than 20 hours on average each week; or for irregular or occasional employment at an hourly rate of pay.

PAY RATE – A specific dollar amount, expressed either as an annual rate, weekly rate, or an hourly rate as shown in the Classification and Compensation Plan (Attachments A and B).

PER DIEM PAY RATE: A specified daily rate of pay paid to an employee when on-call or when required to work and is expressed as either an hourly or daily rate of pay.

POSITION - An office or post of employment in the Town service with duties and responsibilities calling for full time, part time, temporary or seasonal employment of one person in the performance and exercise thereof.

POSITION RATING SYSTEM: Is a fair, objective way of classifying or comparing positions to one another based upon the evaluation of common functions of positions such as the nature of work knowledge, skill and ability requirements to carry out a positions duties, the scope of responsibility, accountability level of independence, purpose and nature of work contacts and physical and sensory demands, hazards of the work environment and occupational risks.

RATE OF PAY - A sum of money designated as compensation for personal services on an hourly, daily, weekly, monthly, annual or other basis.

REGULAR FULL TIME EMPLOYEE - Any employee who is employed no less than forty (40) hours per week, up to 52.2 weeks per year for the department or position in which that person is employed.

REGULAR PART TIME EMPLOYEE - Any employee who works at least 20 hours or more each week for up to 52.2 weeks per year, but less than a normal work week for the department or position in which that person is employed. These employees are eligible for town benefits on a pro-rated basis (actual hours required to work as a percentage of a full-time work schedule of 40 hours per week.

SALARY RANGE - The dollar difference between minimum and maximum rates for a particular compensation grade.

SEASONAL EMPLOYEE - An employee whose duration of employment in a position is for a specified period of time such as a specific number of hours per week or a summer season. Seasonal employees are not entitled to town benefits regardless of the hours worked during the specified season.

SEPARATION – Leaving a position by any type of personnel action including but not limited to resignation, layoff, dismissal, removal, permanent disability and death.

SINGLE RATE OF PAY - A rate of pay for a special, temporary or seasonal position for which there is no range.

STEP RATE - A specific rate of pay in a salary range in a Classification Level as specified in Attachment A of this Bylaw.

TOWN - The Town of Sterling, Commonwealth of Massachusetts.

WORK WEEK: A work week is defined as a period of time consisting of seven (7) consecutive twenty-four hour days Monday to Sunday, 12:01 A.M. to 12:00 A.M.

SECTION 4: CLASSIFICATION PLAN

A. ADMINISTRATION

The Human Resource Administrator shall be responsible for the administration of the Classification Plan (the Plan), establishing only such procedures as may be consistent with the policies as established in the Bylaw.

The Human Resource Administrator shall maintain written descriptions of the jobs or positions in the Plan describing the essential characteristics, requirements and general duties. The descriptions shall not be interpreted as either complete or restrictive and employees shall continue to perform any duties assigned by an employee's superior(s).

The Human Resource Administrator shall, from time to time not to exceed three (3) years, review the wage and salary schedules of all positions subject to the Plan in order to keep informed as to pay rates and policies outside the service of the town, and be in a position to recommend to the Town any action deemed desirable to maintain a fair and equitable (competitive) pay level.

The Human Resource Administrator shall review the duties of all employees subject to the Plan at intervals of not more than three (3) years. The Human Resource Administrator upon receipt of substantiating data may recommend to the Personnel Board for approval a new position to the classification schedule, or reclassify an existing position to a different group, subject to the subsequent ratification of this action by formal amendment of this By-Law by vote of the Town Meeting. Any change that requires an additional appropriation of funds is subject to the recommendation of the Finance Committee and approval of Town Meeting.

The allocation of a position is based on the application of a Position Appraisal Method consisting of a set of universal evaluation criteria or minimum qualifications that are required to successfully perform the essential functions of a position. Each position is assigned a numerical point value based on the application of degree levels within each of the evaluation criteria; the sum point total will determine which grade level a position is to be classified.

The Personnel Board shall vote to retain or change the Classification and Compensation Plan for the forthcoming year by December 10th of each year in conjunction with the development of the Town's Annual Budget, subject to the subsequent ratification of its action by formal amendment of that section of this Bylaw at the next Annual Town Meeting. This vote shall be sent to all appointing authorities as well as the Finance Committee and Department Heads.

B. POSITION CLASSIFICATION

No person shall be appointed, employed or paid as a Town employee in any position under the Classification Plan and Compensation Plan under any title, grade, or salary other than that of the class, title, grade, or salary listed in the Classification Plan and Compensation Plan for that position.

C. EMPLOYEE CATEGORIES

All positions subject to the provisions of the Personnel Bylaw of the Town shall fall into one of the following categories:

a. Regular Full-Time
b. Regular Part-Time
c. Part-Time
d. Seasonal

Regular Full-Time and Regular Part-Time employees are the only employees eligible for employee benefits.

D. POSITION TITLE

The title of each position, as established by the Classification Plan (Attachment B), 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.

SECTION 5: COMPENSATION PLAN

A. APPLICATION

It is the policy of the Town to develop and maintain a compensation plan that is competitive with the market place enabling the Town to recruit and retain a quality work force. External salary data is collected on a regular basis from comparable communities as determined from the geographical recruitment area as well as operational and demographic criteria on a position by position basis. The Town may make changes to the salary ranges for each grade level as it deems necessary in order to maintain competitiveness with the market place.

The compensation of employees provided for in this section shall be subject to the availability of appropriated funds by Town Meeting. It is further understood that salary adjustments including step increases are not automatic but are subject to the appropriation of funds.

B. PAY AND SALARY SCHEDULE

The Compensation Schedule annually approved by the Town Meeting and appended to this Bylaw (Attachment B) shall consist of hourly rates, where appropriate, and annual salaries, on a grade and step schedule except for those wages that are presented as either a single rate or range. Massachusetts

C. PAY RATE FOR NEW PERSONNEL

The hiring rate of pay shall be between the minimum of the salary range of the position's Classification Level for which the new employee is hired up to step 3 without prior approval of the Personnel Board, where the employee's prior work experience, training, or education warrants such action. The Board may approve any request for a higher salary step after investigating such requests for assignment to a higher salary step, and conferring with the Human Resources Administrator, and the immediate supervisor or the department head relative to any assignment to a higher rate and to ensure that funds are available. An appointing authority must request approval from the Personnel Board prior to assigning any new employee to a rate higher than step 3.

D. "PERSONAL RATE" OF PAY

Any rate of pay which is above the maximum salary for a position as established by the Town's Classification and Compensation Plan, shall be deemed to be a personal rate of pay, and shall apply only to the incumbent. When such incumbent leaves the employ of the Town, or is transferred to another position or a new maximum higher than the employee's personal rate is established, the personal rate shall disappear.

[SECTIONS 6,7, 8 and 9 were not printed in the Warrant therefore were not voted at Town Meeting on May 3, 2014]

SECTION 10: EMPLOYEE BENEFITS

A. APPLICATION

Regular Full-Time Employees - All of the employee benefits listed below apply to regular full time employees.

Regular Part-Time Employees - All of the below listed employee benefits, with the exception of holidays apply to regular part time employees. These employees are eligible for all employee benefits on a pro-rated basis (actual hours required to work as a percentage of a full-time work schedule of 40 hours per week).

Part-time or Seasonal Employees are not eligible for any employee benefits, listed below.

COMPENSATED ABSENCES

B. HOLIDAYS

The following eleven (11) days or dates, shall be recognized as legal holidays within the meaning of this Bylaw on which days employees shall be excused from all duty not required to maintain essential Town services.

Regular full-time employees will be entitled to one day's pay at regular straight time rates for each holiday. If the holiday falls on a Saturday, it will be observed on the previous work day and if it falls on Sunday, it will be observed on the following work day.

Regular part-time employees scheduled to work on a holiday shall receive pay based on their regular scheduled hours for that day. If an employee is not scheduled to work on a particular holiday, the employee shall not be eligible for pay for that holiday.
The designated holidays are:

NEW YEAR'S DAY
MARTIN LUTHER KING DAY
PRESIDENT'S DAY
PATRIOTS' DAY
MEMORIAL DAY
CHRISTMAS DAY
LABOR DAY
COLUMBUS DAY
VETERANS' DAY
THANKSGIVING DAY
INDEPENDENCE DAY

Payment under the provisions of this section shall be made provided the eligible employee shall have worked on the last regularly scheduled working day prior to and the next regularly scheduled working day following such holiday, or was in full pay status on such preceding and following days in accordance with the provisions of this By-Law.

When any of the holidays listed above falls within a sick leave period, it shall be granted as a holiday and no charge made to the employee's sick leave credits.

When any of the holidays listed above fall within a vacation period, it shall be granted as a holiday not as vacation leave.

Any regular full-time or regular part-time employee on a normal work schedule whose services are required and who works on any unscheduled holiday, so designated by an Act of the Legislature as a state wide holiday, shall receive additional compensation at the rate of time and one-half of their regular straight time hourly rate for each hour of portion thereof worked on the unscheduled holiday.

Any act of the General Court establishing any day or days designated as a state holiday shall be granted to all regular full-time and regular part-time employees covered by this Bylaw.

C. VACATION PAY

Employees will accumulate vacation pay on a monthly basis, on the last day of each full month worked in accordance with the provisions of this section listed below. Regular full time employees are eligible for vacation as follows:

- After completing six (6) months of continuous service, the employee is eligible for six and 2/3 hours of paid vacation at a normal day's pay for each full month of continuous service to the Town from the date of hire.

- After one (1) year and up to a maximum of five (5) years service, the employee is eligible for six and 2/3 (6 2/3) hours of paid vacation at a normal day's pay for each full month of continuous service provided to the Town, but not to exceed a maximum of eighty (80) hours.

- After five (5) and up to a maximum of fifteen (15) years service, the employee is eligible for 10 hours of paid vacation at a normal day's pay for each full month of continuous service provided to the Town, but not to exceed a maximum of 120 hours.

- After fifteen (15) years and up to twenty (20) years service, the employee is eligible for 160 hours of paid vacation earned and paid as above.

- After twenty (20) years service, the employee is eligible for 200 hours of paid vacation earned and paid as above.

Employees who are eligible for 160 or 200 hours of paid vacation may elect to work no more than one (1) vacation week and receive vacation pay plus their regular straight time pay for that week, but only after prior approval has been received from the employee's Department Head or Board, Committee, Agency or Commission responsible for the employee's Department.

Vacation time shall not be cumulative from year to year except for up to 80 hours which may be held over to be used during the next fiscal year at a time that is mutually agreeable to the employee and their department head.

The choice of vacations shall be on the basis of seniority in the department and approved by the department head. Department heads shall post the vacation schedule annually.

In case of retirement or termination of employment, the employee shall be paid for all accrued vacation time earned up to the termination date.

D. SICK LEAVE

Each regular full time employee shall earn sick leave credit with pay at the rate of 10 hours for each month of continuous employment with the Town, to a maximum of 120 hours per fiscal year. The sick leave credit of a regular part-time employee shall be prorated in accordance with the provisions of this section for regular full-time employees.

The maximum number of such days of sick leave credit that may be accumulated is one hundred ninety (190) days. Employees will accumulate sick leave on a monthly basis, on the last day of each full month worked and in accordance with the other provisions of this section.

The Office of the Treasurer/Collector is responsible for maintaining records of sick leave days accumulated and used for all eligible employees within the Town and reporting same to the Human Resources Administrator.

The Town at its exclusive discretion, reserves the right to request a written certificate from a Town selected physician, at the cost to the Town, establishing incapacity as a condition of payment of sick leave benefits or for an employee who seeks to return to work after being absent, whether paid or unpaid, to determine the employee's fitness for work.

If an employee uses sick leave for purposes other than legitimate illness or non-working injury as well as in an excessive manner, the employee may, at the sole discretion of the Town, be subject to disciplinary action up to and including termination of employment.

Payments made under the provisions of this section shall be limited in the case of an employee who is receiving Workers Compensation payments to the difference between the total amount paid to the employee in Workers Compensation and the employee's regular pay. In the event of such payments, the Town may debit the employee's accumulated sick leave by such amounts as it determines to be equitable in relation to such payments.

Only employees who retire in good standing from employment with the Town of Sterling shall be paid ten (10) percent of the value of their unused sick leave, at the time of retirement. It is to be understood that the payment of any amount under this rule will not change the employee's pension benefit.

E. BEREAVEMENT LEAVE

Regular full time and regular part time employees shall be given up to three (3) working days leave with a normal day's pay for the purpose of making arrangements and attending the funeral of a member of his/her immediate family.

F. JURY DUTY LEAVE

Employees required to serve on a jury shall promptly notify their immediate supervisor or Department Head. A regular full time and regular part time employee called for jury duty shall be paid by the Town an amount equal to the difference between the compensation paid the employee for a normal working period and the amount paid by the court excluding any allowance for travel and lodging, upon presentation of an affidavit of jury pay granted.

SECTION 11: CIVIL SERVICE LAW

Nothing in this Bylaw or in the Classification or Compensation Plans shall be construed to conflict with MGL Ch31.

SECTION 12: SEPARABILITY PROVISION

In the event that any provision of this Bylaw, or application thereof, shall be held to be invalid by any court of proper jurisdiction, this shall not be construed to affect the validity of any other provision, or application thereof, of this Bylaw.

SECTION 13: ACTION TAKEN UNDER PRIOR BYLAWS PRESERVED

The repeal of this bylaw or portion thereof heretofore adopted shall not be construed to revoke, invalidate or otherwise alter acts done, ratified or confirmed in compliance therewith under authority thereof, or any rights accrued or established or any action, suit or proceeding commenced or had in any case, nor shall any such repeal affect any punishment, penalty or forfeiture incurred under any such prior bylaw.

Attachment A - FY 2015 Classification Plan
Regular Non-Union Positions
(Proposed to be effective on July 1, 2014)

Proposed Grade Level	Current Grade Level	Position Title
I	2	Clerk Typist
	3	Library Technician II
	2	Library Technician I
	4	Custodian
	3	Van Driver
II	4 or 5	Admin Assistant (Bldg, Assessor, Planning)
	4	Library Associate I
	4	Outreach Aide (COA)
	3	Meal Site Coordinator (COA)
III	5	Assistant Town Collector
	5	Assistant Town Treasurer
	6	Associate Health Agent
	2	Program Assistant (Rec)
	6	Executive Assistant (DPW)
	5	Assistant Town Clerk
	4	Animal Control Officer
	5	Library Associate II
IV	7	Asst. Library Dir (Child Services)
	7	Working Foreman
	6	Facilities Maintenance Technician
	7	Conservation Agent
V	7	COA Director
	8	HR Administrator
	8	Town Clerk
	8	Town Accountant
	8	Town Treasurer/Collector
	8	Asst Supt (DPW)
	Vacant	Town Planner
	7	Recreation Director
	8	Health Agent
	8	Building Commissioner
VI	10	DPW Superintendent

Attachment B - FY 2015 Classification Plan
Union Positions
(Proposed to be effective July 1, 2014)

Grade	Position	Department
2		
3	Laborer	DPW
4		
5	Asst. Mechanic Truck Driver Dispatcher	DPW DPW Police
6	Firefighter/EMS Firefighter/Mechanic Company Officer Executive Assistant Equipment Operator Mechanic Water Technician I	Fire Fire Fire Police;Fire;Selectmen/TownAdministrator DPW DPW DPW
7	Firefighter/Paramedic Company Officer/Fire Inspector Head Dispatcher Sr Water System Technician Senior Water Technician	Fire Fire Police DPW DPW
8	Patrolman	Police
9		
10	Sergeant	Police
11		

Attachment C - Compensation Schedule
Non-Union Regular Positions
(Proposed to be effective as of July 1, 2014)

Proposed Grade Level	Hourly Salary Range Minimum	Hourly Salary Range Mid-Point	Hourly Salary Range Maximum
I	$13.18	$15.50	$18.45
II	$14.26	$17.83	$19.96
III	$16.40	$20.50	$23.78
IV	$18.86	$23.57	$26.40
V	$22.63	$28.29	$33.95
VI	$31.68	$39.60	$47.52

Proposed Grade Level	Annual Salary Range Minimum	Annual Salary Range Mid-Point	Annual Salary Range Maximum
I	$27,520	$32,364	$38,524
II	$29,775	$37,229	$41,676
III	$34,243	$42,804	$49,653
IV	$39,380	$49,214	$55,123
V	$47,251	$59,070	$70,888
VI	$66,148	$82,685	$99,222

Attachment D- FY 15 Compensation Schedule

Union Positions
(Proposed to be effective July 1, 2014)

GRADE	STEPS												
	1	**2**	**3**	**4**	**5**	**6**	**7**	**8**	**9**	**10**	**11**	**12**	**13**
1	9.93	10.23	10.54	10.85	11.18	11.51	11.86	12.22	12.59	12.95	13.34	13.74	14.16
2	11.41	11.76	12.13	12.47	12.85	13.24	13.64	14.05	14.47	14.89	15.34	15.80	16.28
3	13.15	13.54	13.93	14.35	14.78	15.23	15.69	16.16	16.64	17.14	17.66	18.19	18.74
4	15.11	15.57	16.03	16.51	17.01	17.51	18.04	18.58	19.14	19.72	20.31	20.91	21.54
5	17.39	17.91	18.44	18.99	19.56	20.16	20.76	21.38	22.01	22.68	23.36	24.06	24.78
6	41,704	42,966	44,251	45,556	46,928	48,320	49,779	51,282	52,827	54,394	56,027	57,702	59,444
7	47,973	49,431	50,889	52,413	53,980	55,612	57,267	58,987	60,771	62,578	64,471	66,408	68,387
8	55,047	56,699	58,399	60,150	61,956	63,814	65,729	67,700	69,732	71,824	73,979	76,198	78,484
9	61,652	63,502	65,406	67,369	69,390	71,471	73,616	75,825	78,099	80,442	82,856	85,340	87,901
10	69,051	71,123	73,256	75,453	77,717	80,049	82,451	84,924	87,472	90,096	92,799	95,583	98,450
11	77,337	79,658	82,048	84,508	87,044	89,655	92,346	95,115	97,969	100,909	103,935	107,053	110,265
6	19.97	20.57	21.20	21.82	22.47	23.14	23.84	24.56	25.30	26.05	26.84	27.63	28.47
7	22.97	23.67	24.37	25.10	25.86	26.63	27.43	28.25	29.10	29.97	30.88	31.80	32.75
8	26.37	27.15	27.97	28.82	29.67	30.57	31.48	32.42	33.39	34.40	35.43	36.50	37.59
9	29.52	30.41	31.32	32.26	33.23	34.23	35.25	36.32	37.40	38.53	39.69	40.87	42.10
10	33.07	34.07	35.08	36.13	37.23	38.34	39.48	40.68	41.89	43.15	44.44	45.78	47.15
11	37.04	38.16	39.29	40.47	41.69	42.94	44.23	45.55	46.92	48.33	49.78	51.27	52.81

Attachment E - Compensation Schedule
Call Fire Force Positions
(Proposed to be effective as of July 1, 2014)

Proposed Grade Level	Hourly Salary Range Minimum	Hourly Salary Range Mid-Point	Hourly Salary Range Maximum
I	$13.00	$19.76	$26.52

Attachment F - Stipend Positions
(Proposed to be effective as of July 1, 2014)

Position Title		Amount
ADA Coordinator		$1,500
Animal Inspector		$1,000
Emergency Management Director		$10,000
Gas Inspector		$5,500
Plumbing Inspectior		$10,000
Swealer of Weights and Measures		$1,200
Veteran's Agent		$3,900

Attachment G
Temporary Positions
(Proposed to be effective as of July 1, 2014)

Position Title	Minimum/Hour	Maximum/Hour
Police Special Officer	$8.25	$9.60
Constable		$9.25
Matron	$15.00	$25.00
Election Worker		$8.25
Register of Voters		$8.50
Assistant Register of Voters		$8.25

Recycling Attendant		$11.00
Seasonal Laborer	$9.25	$10.00
Seasonal truck Driver	$17.00	$20.00
Lifeguard	$10.00	$14.00
Season Recreation Assistant	$8.50	$14.00
Van driver (COA)		$9.46
Food inspector		$30.00
Account Clerk		$15.00
Parking Clerk		$25.00
Assistant Building Inspector		$25 per Inspection
Assistant Plumbing Inspector		$25 per Inspection
Wire Inspector		$35 per Inspection
Assistant Wiring Inspector		$35 per Inspection