

Chapter 74

PERSONNEL POLICIES AND PROCEDURES

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[HISTORY: Adopted by the Town Meeting of the Town of Dudley 11-13-1989 (Art. 32 of the 1952 General Bylaws); amended 1991. Subsequent amendments noted where applicable.]

§ 74-1. Purpose. [Amended 10-28-2019 by Art. 30; 6-22-2020 by Art. 11]

The purpose of this bylaw is to establish a Personnel Board and the scope of its responsibilities. The Board's mission is to assist in establishing and maintaining equitable personnel and employee relations practices for the people who work for the Town of Dudley. This bylaw is authorized by MGL c. 41, §§ 108A and 108C, and Article LXXXIX of the Constitution of the Commonwealth.

§ 74-2. Scope. [Amended 5-27-2004 by Art. 9; 5-23-2005 by Art. 30]

The provisions of this bylaw shall apply to all employees, boards and commissions of the Town who are not covered by collective bargaining agreements as provided in those agreements.

§ 74-3. Personnel Board established. [Amended 5-22-2000 by Art. 9]

- A. The Board shall consist of five citizens of the Town who are not paid employees of the Town. The terms of office shall be for three years. Any member may, after a hearing, if requested by the member, be removed for cause by the appointing authority.
- B. The members of the Board, upon the expiration of the present members' terms, shall be appointed by the Board of Selectmen for two members, the Town Moderator for one member and the Finance, Appropriation and Advisory Committee for two members. No members shall be from either appointing committee or board. Whenever a vacancy occurs on the Board, the original appointing authority shall fill the vacancy for the unexpired term.

§ 74-4. Responsibilities of Personnel Board. [Amended 6-19-2006 by Art. 30; 10-29-2018 by Art. 22]

- A. The Personnel Board shall serve as the primary advisory board to the Board of Selectmen and Town Administrator in personnel matters and shall perform the following functions: **[Amended 10-28-2019 by Art. 30]**
 - (1) Prepare a classification and pay plan in conjunction with the Town Administrator in accordance with Chapter 68, § 68-19D, and recommend said plan to the Finance, Appropriation and Advisory Committee and Board of Selectmen.
 - (2) Review and recommend to the Personnel Director employee benefit programs and conditions of

employment.

- (3) Review and analyze personnel procedures and administrative practices as may be requested by the Personnel Director. **[Amended 6-22-2020 by Art. 11]**
- B. At the request of the Personnel Director, the Board shall participate in the resolution of employee disputes and grievances, serving as an independent board of nonbinding review or fact-finding. **[Amended 10-28-2019 by Art. 30]**
- C. In the event that a specific provision of this bylaw should conflict with a specific provision of a collective bargaining agreement, adopted in conformance with MGL c. 150E, the provision of the particular collective bargaining agreement shall prevail.
- D. The Board shall recommend compensation for all presently compensated Town positions, elected and appointed, not otherwise covered by the Town's wage and salary system.

§ 74-5. Personnel Director; rules and regulations. [Amended 10-29-2018 by Art. 22; 10-28-2019 by Art. 30]

- A. The Town Administrator or his or her designee shall serve as Personnel Director of the Town. In conjunction with the Personnel Board, the Town Administrator is responsible for the day-to-day personnel practices, procedures and systems of the Town, including but not limited to:
 - (1) Employee recruitment/testing/selection appraisal/evaluation.
 - (2) Employee training and development.
 - (3) Employee benefits and service programs, except that the Treasurer/Collector shall remain as Insurance Administrator and be responsible for group health insurance and workers' compensation plans/programs.
 - (4) Employee safety and health programs.
 - (5) Employee discipline and grievance procedures.
- B. No personnel-related rule or regulation shall be adopted until prior notification is made to all affected boards, commissions, departments and employees.

§ 74-6. Severability.

The provisions of the bylaw and any rules and regulations adopted under its authority are severable. If any section of the bylaw or regulation is declared invalid, the remaining provisions and regulations shall be unaffected.

§ 74-7. Annual hourly sick leave buy-back. [Added 5-23-2005 by Art. 10; amended 10-24-2016 by Art. 9]

Regular full-time employees may elect to have the Town buy back unused sick leave at the employee's rate of pay at the time of the request. The maximum number of days the Town will buy back in one fiscal year is 15 days at the 20% rate. Regular full-time employees may also buy back sick time at the time of retirement at 50% up to a maximum of 65 days. Regular part-time employees are eligible as above at the prorated basis. Exempt employees may accrue 15 days per year to a maximum of 65 days. Exempt employees are not eligible for annual sick time buy-back, except at the time of retirement at the 50% rate up to a maximum

of 65 days. Elected Town officials are not eligible for any sick time buy-back including any heretofore accrued.