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HUMAN RESOURCES REPORT DUDLEY, MASSACHUSETTS

EDWARD J. COLLINS, JR. CENTER FOR PUBLIC MANAGEMENT

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INTRODUCTION

After receiving a Community Compact Best Practices grant from the Commonwealth, the Collins Center for Public Management was engaged by the Town of Dudley to conduct a Human Resources Review (Review). The Review was commissioned to document the current state of the human resources systems, staffing, policies and practices. The purpose of the Review is also to identify areas of deficit, policies to be adopted and provide recommendations for improvement.

SUMMARY OF FINDINGS

The following are the key findings of the Review.

1. The Personnel Committee is inactive
2. Human Resources is decentralized
3. Personnel records are not maintained in a central location using best practices;
4. The Town has insufficient human resources support;
5. The Town does not have all the human resources policies it should
6. The Town does not have a formal and consistent onboarding process;
7. The Town does not have a sufficient training program;
- 8: The Town's website does not contain sufficient Human resources information;

METHODOLOGY

The methodology utilized was interviews with key personnel, including the Town Administrator, Treasurer Collector, Town Accountant, Planning Board Highway and Conservation Clerk, Police Chief, and Department Heads. In addition to the interviews, an extensive review of Town documents and procedures was conducted.

DISCUSSION

The term "human resources" is broad and includes a host of functions. Human resource functions can be characterized as transactional or strategic. Human resources has evolved through the years from "personnel" administration to "human resources" management.

Personnel administration is the title formerly assigned to human resources duties. In the 1980s, personnel administration consisted of enrolling employees in benefit plans, processing and distributing paychecks, hiring, suspending and firing employees. The personnel department was merely an administrative function of the business. Concepts such as human capital or human resource management later emerged as HR began to play a bigger role in the strategic direction of the organization. Personnel administration matured into human resources, which evolved in two separate but connected ways -- strategic and transactional or functional HR.

Transactional human resources are the “traditional” functions of benefits administration, policy development and administration, position descriptions, payroll, worker’s compensation, personnel file maintenance, collective bargaining agreement administration, vacancy posting and collecting applications and resumes. According to SHRM, these “transactional” functions are a way of “managing the employment relationship from recruitment and processing employees through retirement.”

On the other hand, strategic human resource functions deal with the strategic direction of the organization and include long term goals. According to SHRM “HR needs to be approached from a holistic point of view encompassing every function of human capital management” and that organizational leadership, should work towards “creating an effective human resources infrastructure that supports an employee-centric, service-oriented strategic human resources organization.” Strategic functions include long term planning, employee relations, training, succession planning, customer service and talent retention and development.

ORGANIZATIONAL STRUCTURE & RESPONSIBILITY FOR HUMAN RESOURCES FUNCTIONS

The Town of Dudley’s Town Administrator is the primary participant in human resources administration, with the Board of Selectmen, Executive Assistant, Treasurer/Collector, Town Accountant, and department heads also being involved in the human resources function.

Town Administrator

The Town Administrator serves as the chief administrative officer and as the Personnel Officer for the Board of Selectmen and is responsible for recruitment, selection, collective bargaining, position descriptions and classification, policy development, equal opportunity, official personnel records, and the coordination of human resources functions for the Town, with the exception of payroll and benefit accrual tracking.

Executive Assistant to the Board of Selectmen and Town Administrator

The Executive Assistant coordinates and assists the Town Administrator with human resources work, such as file management.

Treasurer/Collector

The Treasurer/Collector's office is responsible for payroll, benefit accruals, workers compensation, onboarding new employees in regards to payroll administration and health benefit enrollment, benefit administration, training to the extent to lower the insurance premium, retirement offboarding, deferred compensation, and buyback.

Town Accountant

The Town Accountant verifies the payroll entered by the Treasurer/Collector's office.

Town Clerk

The Town Clerk is responsible for mandatory ethics and conflict of interest training.

Department Heads

Department heads review applications, interview candidates and make recommendations for appointment. Department heads are responsible for employee management, submitting payroll, approving leave, and department training.

COMPLIANCE ASSESSMENT

The Collins Center conducted an extensive review of Dudley's procedures for all aspects of human resources, with particular attention being paid to issues surrounding compliance with state and federal laws. Improvements should be made to improve efficiencies. The following is a summary of findings and recommendations.

Recruitment

Vacant positions are posted on the Town website, Massachusetts Municipal Association's website, and in local publications. Positions are posted for 1-2 weeks.

Employment Applications

The Town has a standard employment application online, which is used by all applicants for all positions. A standard employment application is important as it allows targeted, consistent and controlled information collection and an ability to provide information to the candidate, such as the Town's equal opportunity hiring statement. General recommendations for employment applications, are as follows:

1. The application should contain updated contact information, including both email and phone numbers, for a contact person in case the candidate has any questions.
2. Applications should not request a Social Security number due to identity theft and privacy concerns. The Town should not need this information until it is time to run a background check or complete a W-4 and including it on an application carries unnecessary risk.
3. Applications should not request a date of birth as it can reveal an applicant's age and lead to allegations of age discrimination.
4. The application should contain an anti-discrimination statement similar to the following: "The Town of Dudley is proud to be an equal opportunity employer. Therefore, qualified applicants will be considered regardless of their sex, race, age, religion, color, national origin, ancestry, physical or mental disability, genetic information, marital status, sexual orientation, gender identity, gender expression, military and veteran status, or other status prohibited by law."
5. The application should not contain any questions regarding an applicant's work authorization status. Instead, the application should contain the following statement: "In

compliance with federal law, all persons hired will be required to verify identity and eligibility to work in the United States and to complete the required employment eligibility verification form upon hire."

6. To obtain information on whether an applicant holds a degree or a diploma, the Town can simply ask if the applicant has graduated and what degree was obtained. The application should not ask for an applicant's graduation dates since that information can reveal an applicant's age (and lead to allegations of age discrimination).
7. Similarly, the Town should not ask for an applicant's dates of employment at previous jobs. Instead, the Town can ask how many years the applicant was employed.

Screening and Interviewing

An important function of any employer is to ensure hiring practices are standardized and compliant with federal and state laws. It is critical for an employer to have consistent employment practices, ensure all interview questions are legal, and job related, and document all selection processes. The Collins Center recommends centralization of the Human Resource function to accomplish this and involving the Town Administrator in the hiring process for each department.

It is recommended all applications for employment come through the Board of Selectmen's office, which will then provide a copy of the applications to the screening committees. The committees can screen the applications and decide which candidates to interview. Candidates that are not interviewed should receive a standard notification that they will not be moving forward in the interview process. Communication of "non-interest" should be sent to those who do not fill the open position at the end of the process, as well.

All interview notes, applications, and collected applicant data should be filed together in a designated recruitment filing area.

Criminal Offender Records Information (CORI) Checks and I-9 Verification

CORI checks are completed by the Police Chief and Fire Chief for employees in their departments and the Executive Assistant to the Board of Selectmen after a conditional offer of employment

has been accepted by an applicant. It is recommended that the Town adopt a CORI policy, including what to do if a candidate does not pass the CORI. CORI records should not be stored in employee personnel files. An internal file audit should be completed to ensure all CORI records are kept separately from personnel files. CORI records may not be retained longer than three years after an employee separation.

The Treasurer/Collector is responsible for I-9 collection. It is recommended the Town create a documented procedure to ensure compliance. I-9s need to be completed accurately and completely in a timely fashion. New employees should report to work on their first day of employment with all required personal documentation to complete the I-9. I-9 forms should not be stored in employee personnel files. It is recommended that the Town complete an internal file audit, and ensure all I-9s are stored in separate locked file storage.

References

References are conducted by either the Town Administrator or Department Head. The Town should adopt a policy regarding references and how to document them. It is best to have one person conduct references, or have one person manage the reference process and receive notification from department heads when references are completed. References on potential candidates should be documented on a standard reference form and maintained in the position recruitment file.

Pre-Employment Physicals and Drug Testing

The Town currently requires all employees to pass a pre-employment physical and drug screen as a condition of employment. The drug screen and physical exam are scheduled by the hiring department, which receives the results and notifies the employee.

The Town does not have a written policy regarding pre-employment physicals. The Collins Center recommends that the Town adopt a policy regarding pre-employment exams, including drug and alcohol testing, and a formal protocol to follow if a candidate does not pass the exam.

Conditional Offer Letters of Employment and Appointment Letters

Currently, the Town has a standard and very informative offer letter, conditional offer letter and rejection letter. Offer letters are important to inform candidates of the probationary period, the need for pre-employment physicals and background checks, as well as puts the employee on notice regarding licenses they are required to have prior to employment and those they are expected to obtain within a reasonable amount of time after beginning their employment.

Applications and records for all job candidates must be kept in accordance with the Municipal Retention Guidelines. In keeping with the move towards centralizing the human resource functions, these applications and records should be kept by the Town Administrator for all departments.

New Hire Procedures

An internal new hire form is utilized in part to ensure a new employee is in the system for payroll. It is not always forwarded to the Treasurer/Collector and Town Accountant prior to an employee's first day of employment, which can be challenging. The form should be received by the Treasurer/Collector and Accountant prior to an employee's first day of employment so that onboarding procedures can be planned out, and the change to payroll dollars is expected. The Treasurer/Collector also assists new employees with the completion of critical employee paperwork, such as the I-9, and maintains it. It is critical that the proper employment paperwork be received and recorded on or before the first day of employment. Additionally, the form can be received timely, but not processed timely. This creates a difficult first experience for new hires and their managers. Having a centralized hiring process will ensure that one person is tracking open positions, and will notify the Treasurer/Collector of any hires in a timely fashion, and can work with the Treasurer/Collector prior to start dates to ensure the Town is prepared for new employees.

Orientation and Onboarding

The Town does not currently have a thorough onboarding process. There is an opportunity to create one that benefits the Town in a way to create consistency, and benefits new employees to set them up for success.

Central Personnel File Retention

According to MGL Chapter 149, Section 52C, the Massachusetts Personnel Records Law, employee personnel files must include all documents kept by an employer which have been used for or may affect that employee's qualifications for employment, promotion, transfer, additional compensation or disciplinary action. This includes, at a minimum, the following information:

- name
- address
- date of birth
- job title
- job description
- rate of pay
- any other compensation paid to the employee
- starting date of employment
- completed application
- resume or submitted employment inquiry
- all employee performance evaluations, including but not limited to, employee evaluation documents, written warnings of substandard performance, lists of probationary periods
- waivers signed by the employee
- copies of dated termination notices
- documents relating to disciplinary action regarding the employee

In March of this year, the Select Board voted to adopt an employee classification and compensation plan, initiating the standardization of positions and pay rates. The Town Administrator's office retains the official personnel files for employees. The Collins Center recommends the Town Administrator coordinate with department heads to review any employee "follow files" kept by departments to ensure the official file maintained at the Board of Selectmen's Office contains copies of all records kept in individual department files.

Benefits

Dudley offers a well-rounded benefits package including health insurance, dental insurance, vision insurance, life insurance, disability insurance, retirement insurance, and 407B. The

Treasurer/Collector's office is responsible for health enrollment and coordination for employees and retirees.

Payroll

The payroll systems in Dudley are sufficient and functional for the workforce. Payroll is processed weekly. Employees submit timesheets to the department head. Employee timesheets are verified by the department head and then submitted to the Treasurer/Collector. Once verified the payroll is submitted, payroll is processed. Direct deposit is required.

Technology and Webpage

The town website does not currently have a Human Resources tab for employees and prospective employees to reference. Jobs are posted, and there is a page sharing the personnel bylaws. The website could become a valuable resource with job descriptions and an up to date classification system, personnel policies, employee forms, training, leave information, and a new hire checklist available. Having all of this information readily accessible for all employees is a benefit.

Leave Administration

Other than a select few, the Town does not have a formal leave administration process or policies. While the Town's payroll process of timesheets records leave taken and is entered into the payroll system, no person or office has the responsibility for leave administration. Department heads and/or the Town Administrator approves leave and the balances are reconciled by the Treasurer/Collector's office as part of the payroll process, and reflected on employee pay stubs. Some contracts define a process for requesting leave, which makes a standard policy challenging. However, a centralized system of managing leave should be the responsibility of the Town Administrator's office so compliance with collective bargaining agreements, and federal and state laws can be followed.

Training

Massachusetts requires municipalities to annually distribute its sexual harassment policy to each employee and also encourages employers to regularly conduct education and training programs on sexual harassment for all employees. The Town should ensure employees are provided with

its sexual harassment policy annually and that every employee acknowledges receipt. Without the annual distribution of policies and training on discrimination issues in the workplace, the Town and its officials are exposing themselves to potential liability.

It is recommended the Board of Selectmen's Office conduct a training needs assessment and develop a short- and long-range plan to address identified needs. In addition to regular training on Conflict of Interest, Sexual Harassment and Public Records, the Collins Center recommends that employers conduct additional training for supervisory and managerial employees, which should address their specific responsibilities. It is critical department heads, managers and supervisors receive training regarding discrimination (including the ADA and "reasonable accommodations", harassment, performance management and progressive discipline, the Family and Medical Leave Act, and "best practice" interview questions (i.e., what not to ask).

Labor Relations and Collective Bargaining

Dudley has three different unions including Police, Fire, and the Department of Public Works. The Town Administrator's office is responsible for the negotiation of the collective bargaining agreement and its administration, with final approval for all agreements sits with the Select Board.

Retirement

The Treasurer/Collector is responsible for retirement administration, and assists employees through the retirement process. It is recommended the Town create a termination and post-employment check list that would include items such as vacation payments, unemployment notices, insurance continuation and retirement. The termination check list would begin with individual departments, while the post-employment checklist would organize the necessary tasks of the Treasurer/Collector.

PERSONNEL POLICIES

The Town has both personnel bylaws and policies. The following list is the complete section of personnel bylaws:

Chapter 74 Personnel Policies and Procedures

- Purpose
- Scope
- Personnel Board established
- Responsibilities of Personnel Board
- Personnel Director; rules and regulations
- Severability
- Annual hourly sick leave buy-back

The following is a complete list of information and personnel policies from the employee handbook:

Policy Name	Policy Name
Introduction	Rest Periods
At Will Employment	Lunch Breaks
Reservation of Rights	Gifts & Gratuities
Equal Employment Opportunity Plan & Affirmative Action Program	Dress Code
Employees	Personal Telephone Calls
Probation	Work Place and Office Etiquette/Professional Courtesy
Employment Practices	Health and Safety Policy
ADA	Right to Know
COBRA	Smoking Policy
Office Procedures	Employee Conduct Policy
Benefits	Communications Policy
Retirement System	Conflict of Interest Policy
Merit Bonus/Merit Raise	Ethics Policy
Deferred Compensation	Sexual Harassment Policy
Longevity	Alcohol & Drug Policy
Life Insurance	Workplace Violence Policy
Health & Dental Benefits	Domestic Violence Leave Policy
Vacation Leave	Grievance Policy
Holiday Leave	Progressive Discipline Policy
Sick Leave	Use of Town Property Policy
Sick Leave Buy Back	Employee Work Station/Work Product & Correspondence Policy
Personal Leave	Personnel Files Policy
Workplace Delayed Openings, Early Closing, & Unscheduled Closures	Family Member Employment Policy
Family Medical Leave Act	Computer & Network Usage Policy
Funeral/Bereavement Leave	Open Door Policy
Small Necessities Leave	Paper Reduction Policy

Policy Name	Policy Name
Parental Leave	Visitors to Town Hall Policy
Military Leave	Cellular Telephone Policy
Jury Duty or Court Appearance	Cellular Telephone Acknowledgement Form
Unpaid Leave	Performance Evaluation Policy
Employee Assistance Program	Motor Vehicle Use Policy
Operational Rules	Employee Handbook Acknowledgement
Payroll Vouchers	*There is also a separate Code of Ethics

Together, the personnel bylaws and employee handbook are comprehensive. The policies in the handbook were reviewed in 2021. There are a few policies that are recommended to round out the current handbook. The recommendations include policies regarding functions of the Treasurer Collector. They are included as separate attachments.

Recommended policies:

- Criminal & Sexual Offender Records Information
- Equal Pay Act
- Fraud and Theft Prevention
- Health Insurance Portability and Accountability Act
- Health Insurance
- I-9
- Insurance Benefits
- Political Activity
- Pregnant Workers Fairness Act
- Recruitment and Selection
- References
- Separation from Service
- Wage and Hour
- Whistleblower Protection
- Workplace Injuries
- Workplace Safety

FINDINGS AND RECOMMENDATIONS

Finding 1: The Personnel Committee is inactive.

- **Recommendation 1.1:** It is recommended the Personnel Committee be formally dissolved. Human resources used to be seen as personnel administration. It has evolved into a strategic partner, essential to supporting employees and evaluating and limiting risk. Human resources should not be left to a committee of citizens. It should be

professionalized, and left under the umbrella of the Personnel Director/Town Administrator.

Finding 2: Human Resources is decentralized.

The opportunity to centralize the human resource functions will result in increased professional level human resource services. The Town Administrator's office has responsibility for primary human resource functions, such as hiring, policy maintenance and distribution, records maintenance, and training coordination. Payroll and benefits are managed in the office of the Treasurer Collector.

- **Recommendation 2.1:** It is recommended that the Payroll & Benefits position report into the Town Administrator (the Assistant Town Administrator/Human Resources Director in the future) in an effort to centralize Human Resources. It is recommended this position take ownership of collecting new hire paperwork, and assisting employees. The Town Administrator cannot be responsible for this human resources related work if it is under the authority the independently elected office of the Treasurer/Collector.

Finding 3: Personnel records are not maintained in a central location using best practices.

Personnel files must be kept in accordance to the law.

- **Recommendation 3.1:** It is recommended that personnel files be maintained in a designated Human Resources location.
- **Recommendation 3.2:** It is recommended an internal file audit be conducted to ensure department heads have forwarded all necessary documents have been forwarded to the main employee file, I-9s are stored separately, medical information is stored separately, and CORI data is stored and appropriately destroyed in the correct time frame.

Finding 4: The town has insufficient human resources support.

There is currently a lot of human resources work to be done, and not enough time and resources to complete it. The Town Administrator is completing the transactional work, but needs the flexibility to be more strategic.

- **Long Term Recommendation:** It is recommended that the Town create a position for an Assistant Town Administrator/Human Resources Director.
- **Short Term Recommendation:** It is recommended that the transactional human resources work be transitioned from the Town Administrator to a designated employee. It is recommended the Town evaluate the possibility of creating the position of Human Resources Assistant. This will allow for a central contact, and will serve as a valuable resource for employees. A main contact will be designated ownership of leaves, injured on duty, and workers compensation. It will give the Town Administrator the opportunity to be proactive with strategic human resources.

Finding 5: The Town does not have all the human resources policies it should.

The Town has a comprehensive collection of current policies, but has an opportunity to add several more policies.

- **Recommendation:** It is recommended that the Town adopt the following policies:
 - Criminal & Sexual Offender Records Information
 - Equal Pay Act
 - Fraud and Theft Prevention
 - Health Insurance Portability and Accountability Act
 - Health Insurance
 - I-9
 - Insurance Benefits
 - Political Activity
 - Pregnant Workers Fairness Act
 - Recruitment and Selection
 - References
 - Separation from Service
 - Wage and Hour
 - Whistleblower Protection
 - Workplace Injuries
 - Workplace Safety

Sample recommended policies will be provided to the Town as part of this review or the Town may adopt its own. The Town should be aware of bargaining obligations with Unions prior to implementation of these policies.

Finding 6: The Town does not have a formal and consistent onboarding process.

Currently, the process for filling vacancies is not consistent across departments, and new hire information is not always communicated timely. It is recommended that the Town takes steps to create a uniform and centralized hiring and onboarding process.

- **Recommendation 6.1:** It is recommended the Town develop consistent and uniform procedures for filling non-union vacancies within the Town Departments.
- **Recommendation 6.2:** It is recommended the Town Administrator, or a representative from the Town Administrator's office, administer the hiring process, including the posting of positions, receipt of applications, and the interview process.
- **Recommendation 6.3:** It is recommended the Town consistently utilize a personnel change form from the start of the new hire process through onboarding, and ensure the person setting new hires up in the payroll system is aware of changes in a timely fashion.
- **Recommendation 6.4:** It is recommended the Town create an onboarding process to ensure new employees are set up for success, and have clear contacts and deadlines for tasks such as benefits selection. The onboarding process can include things such as policies to read and sign off on, a 30 day meeting with a supervisor, and contacts for benefit questions.
- **Recommendation 6.5:** It is recommended that Department Heads go through a training on interviewing.
- **Recommendation 6.6:** It is recommended that a formal reference policy be created to ensure they are completed, documented, and maintained.

Finding 7: The Town does not have a sufficient training program.

The Town has an opportunity to increase employee training. It is critical that annual compliance and sexual harassment training be conducted to meet requirements. Trainings are currently completed by new hires and sporadically at the department level. Training will not only have a positive impact on work being done, but will increase employee appreciation.

- **Recommendation 7.1:** It is recommended that the Town create an annual training calendar to ensure Sexual Harassment / Anti-Discrimination training be completed annually.
- **Recommendation 7.2:** It is recommended that the Town conduct a training needs assessment. This should entail prioritizing trainings such as Public Records, Open Meeting Law, Progressive Discipline, and Family Medical Leave which can be sources of liability for Town employees.

Finding 8: The Town’s website does not contain sufficient Human resources information.

The Town has limited human resources information online.

- **Recommendation:** It is recommended the Town create a page dedicated to human resources on its website. It can be a valuable source of information for perspective and current employees.

CLOSING

Thank you for inviting the Collins Center for Public Management into your community. The Collins Center anticipates that the findings, observations and recommendations contained in this Report will help the Town of Dudley on its path of creating a modern, legally compliant and professional human resources system, thus limiting liability.

We appreciate all the time given by the people interviewed during this process. We would be remiss if we did not acknowledge the assistance received from Town Administrator, Jonathan Ruda, who was extremely gracious with his time and support. Please do not hesitate to contact us for clarification or discussion of this report.