

Town of Nahant



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Article XIII

Personnel Board

Job Classification and Salary Plan

Section 1 Application

SUBSECTION A. All Town departments and all positions in the Town services, other than the School Committee and positions under its control, shall be subject to the provisions of this by-law, provided, however, that the compensation of elected officers of the Town shall be established annually by vote of the Town Meeting.

SUBSECTION 2. PERSONNEL BOARD

SUBSECTION A. There is hereby established a Personnel Board, as authorized by Section 108c of Chapter 41 of the General Laws, which shall administer the provisions of this by-law. The Board shall consist of three members appointed by the Moderator, acting with the advice of the Chairman of the Board of Selectmen and the Chairman of the Advisory and Finance Committee. The term of office of the members of the Personnel Board shall be three years beginning July 1. Initial appointments to the Personnel Board shall be for periods of one year, two years, and three years, respectively. No elected or appointed officer of the Town of Nahant and no person employed by the Town of Nahant shall be eligible for service upon the Personnel Board.

SUBSECTION B. The Personnel Board shall serve without pay, but may submit an annual expense budget to the Town for consideration.

SUBSECTION C. Forthwith after appointment and thereafter annually, the board shall meet and organize by electing a chairman and clerk. A majority of the board shall constitute a quorum for the transaction of business.

SUBSECTION D. The Board shall maintain written descriptions of the job titles subject to this by law, describing the essential characteristics, requirements and the general duties. The descriptions shall not be interpreted as complete or limiting definitions and employees shall continue to perform duties assigned by superiors. In addition, a copy of the policy statement outlined in section 3 (d) shall be maintained by the Board.

SUBSECTION E. The Personnel Board, from time to time, shall review all positions subject to this by-law and, it deems necessary, shall recommend to the Board of Selectmen and the Advisory and Finance Committee, adding new positions or reclassifying existing positions. Such reviews shall be so scheduled as to cover all such positions at intervals of not more than three years.

SUBSECTION F. The Personnel Board shall, from time to time, review the pay schedules. It shall keep informed as to pay rates and policies for positions subject to this by-law and shall recommend to the Board of Selectmen and the Advisory and Finance Committee any action deemed desirable to maintain a fair and equitable pay level.

SUBSECTION G. The Personnel Board shall have the authority to decide all questions relating to interpretation of this by-law, provided, however, that no action shall become effective unless or until funds have been appropriated and are available. An appeal may be taken by any employee aggrieved by a decision of the Personnel Board to the next Annual Town Meeting.

SUBSECTION H. The Personnel Board may, from time to time, issue, amend or revoke administrative orders for the purpose of giving effect to the provisions of this by-law, and for the purpose of giving effect to the provisions of such other by-laws, and votes to the Town, pertaining to personnel administration, as said board may be responsible for administering and/or enforcing.

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Such orders shall be numbered in sequence, and said board shall maintain, in the office of the Selectmen, a file of all such orders issued, said file to be open to public inspection. Such orders shall include a reference to the section and paragraph of the by-law that determine the actions, and shall, without delay, be delivered to the Board of Selectmen, the Town Administrator and the head of the department or board involved.

SUBSECTION I. Except as otherwise provided by law, the Personnel Board shall have access to all facts, figures, records, and other information relating to the personnel of Town departments, other than the School Department, and the same shall be furnished forthwith by any such department, whenever so requested by the Personnel Board, in such form as said board may require.

SECTION 3. Personnel Records and Reports

SUBSECTION A. A personnel record of all Town employees, including both elected and appointed employees, shall be kept by the Administrator in his office. Said record shall contain all the vital statistics and other *pertinent rds and report data of each and every person employed by the Town. It shall be the duty of each Town officer and employee to furnish to the Town Administrator forthwith upon his request, all data needed for the completion of this record, and such personnel records and reports as the Personnel Board may require.*

SUBSECTION B. Each department head shall submit to the Town Administrator weekly, in such form as the Personnel Board shall prescribe, a report of all officers and employees of the department absent from duty during the calendar week immediately preceding, specifying in each case whether the officer or employee was absent on vacation leave, on leave of absence, on occupation sick leave, on non-occupation sick leave, on bereavement leave, on jury duty, on personal leave, or on military leave, or specifying the nature of his absence if it was not one of the foregoing reasons.

SUBSECTION C. The Personnel Board, in consultation with other Town Officers and agencies concerned, shall have the authority to standardize the administrative forms and records used in Town personnel administration, other than those whose format is regulated by statute or by state supervising municipal administrations.

SUBSECTION D. Personnel Policy Statement

The ADMINISTRATOR shall maintain a policy statement regarding, but not limited to:

Sick Leave

Vacation

Jury Duty

Service in the Armed Forces or the Reserve Component Thereof

Holidays

Equal Opportunity Employment

Such Policy Statement shall be available to all employees and kept in a location freely accessible to all affected employees. A copy of the Policy Statement shall be provided to the Personnel Board for annual review within two weeks of the close of each calendar year.

SUBSECTION 4. Medical Examination of Job Applicants

SUBSECTION A. Every applicant for permanent appointive employment shall be certified by a practicing physician, designated by the Town, as to his or her physical fitness to perform the duties of the position to which such applicant seeks appointment, and as to any physical condition of the applicant which might adversely affect the insurance coverage of the Town under Chapter 152 of the General Laws or the group insurance of other Town employees.

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If the Personnel Board deems such action necessary for the protection of the Town, it may require any applicant for temporary or part time appointive employment by the Town, who is to be employed for thirty days or more, or any temporary or part-time appointive employee who has been employed by the Town for thirty days and has not been so certified to be certified by a physician designated by the Town as to his or her physical fitness to do the work required by the Town, and as to the presence of any condition detrimental to such insurance coverage. Such certification shall be in such form as the said board shall determine. The cost of any physical examination required by this section shall be paid by the Town, and shall be charged to the appropriation of the department in which the applicant seeks employment, or shall be charge to such special appropriation as the Town may make for the purpose of this section.

SUBSECTION B All such certificates shall be retained by the Town Administrator and filed in the individual's personnel record.

SECTION 5 Job Classification and Salary Plan

SUBSECTION A. There is hereby established a classification and salary plan, hereinafter called the Plan, for the Town of Nahant, under authority of Section 108A of Chapter 41 of the General Laws, and all other acts hereto enabling, for positions in the service of the Town, classifying certain employees, whether full-time, temporary or part-time, other than those filled by popular election, those covered by collective bargaining agreements and those under the direction and control of the School Committee, into groups and classes doing substantially similar work, or having substantially equal responsibilities.

SUBSECTION B. (See Chart of Classification and Salaries, revised from time to time by vote at the Annual Town Meeting.)

SUBSECTION C. There is hereby established a record of the employee classification and salaries, hereinafter called the Record, as set forth in collective bargaining agreements entered into by the Town, other than those under the direction and control of the School Committee.

SUBSECTION D. (See record of employee classification and salaries, revised from time to time to reflect changes in collective bargaining agreements entered into by the Town, other than those under the direction and control of the School Committee.)

SUBSECTION E. The Personnel Board shall annually report its recommendations with respect to the Plan and Record to the Advisory and Finance Committee and to the Board of Selectmen. The Advisory and Finance Committee shall annually report such recommendations, together with its own comments thereon, to the residents of the Town.

SECTION 6. Salary Schedule

SUBSECTION A. The Plan sets forth the job classification, the grade assigned to it, the minimum step rate and successive step rate increases, concluding with a maximum step rate. Salary range of a group shall be the salary range for all positions classified in such group.

SUBSECTION B. Each regular, full time employee subject to the Plan shall serve one year at step one and one year in each intermediate step until reaching the maximum.

SUBSECTION C. Each employee subject to the Plan, who occupies a position for which a single rate has been established by the Plan, shall not be eligible for step rate increases.

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SUBSECTION D. No board, officer, or head of a department shall fix the salary of any employee in a position so classified, except in accordance with the Plan.

SUBSECTION E. No person shall be appointed, employed, or paid as an employee in any position, or permitted to perform duties under any title other than as provided in the Plan. The job title in the Plan shall be the official title for the position and shall be used in all administrative and employment records.

SUBSECTION F. Except as otherwise provided by law, the overtime compensation system shall be determined by the Board of Selectmen.

SECTION 7 Classification of Town Employees

SUBSECTION A. An employee promoted or reclassified to a higher-rated position or grade shall enter it at the minimum step rate for the appropriate compensation grade, provided, however, that if his existing rate is the same or higher than the minimum for the higher-rated position, he shall be moved to the next higher step above his present salary.

SUBSECTION B. When a person already in the employ of the Town is transferred to another position having a maximum rate of compensation lower than the rate of compensation being received by him in his former position, he shall enter the new position at its maximum rate.

SUBSECTION C. When an employee transfers from one department to another, but does not change his salary grade, he shall enter his new position at the minimum step rate.

SUBSECTION D. Upon recommendation of a department head or board, supported by evidence in writing, of special reasons and exceptional circumstance satisfactory to the Personnel Board, said Personnel Board may authorize an entrance higher than the minimum rate for a position established by vote of the Town, and such other variances in the Plan, as it may deem necessary for the proper functioning of the services of the Town, provided, however, that no action shall be taken by the Board unless such recommendation is made within thirty days of the commencement of employment, and provided further, however, that no employee shall by variance be moved from one grade to another. No variance shall become effective unless or until necessary funds have been appropriated and are available.

SECTION 8 CONFLICTING BY-LAWS REGULATIONS OR COLLECTIVE BARGAINING AGREEMENTS

If any provision of this by-law shall conflict with any civil service law or regulation applicable to any position, or any other law, it shall be deemed modified by the law or regulation sufficiently only to end the conflict. The invalidity of any provision hereof shall not be construed to invalidate any other provision hereof. This by-law shall not be construed as a means of extending or enriching benefits or conditions of employment delineated in the several existing collective bargaining agreements.

SECTION 9. Equal Employment Opportunity

The Town of Nahant is an equal opportunity employer.