

**Norwood Personnel Board  
Regular Meeting - Minutes  
November 19, 2014**

The Regular Meeting of the Norwood Personnel Board (Board) was called to order at 7:00 PM on Wednesday, November 19, 2014 in the Finance Commission Conference Room, located on the 1<sup>st</sup> floor of Town Hall, by David Hajjar, Chairman.

Present:

David E. Hajjar, chairman  
Anne Haley, vice-chair  
Patterson (Pat) Riley  
John (Jack) E. Taylor

Other Attendees:

Michelle Pizzi, HR Director

Absent

Willard (Will) Krasnow

**1. Meeting Minutes**

October 15, 2014

There were the following changes approved by the Board:

- a. In the first line of item 3, change "...no public individuals present..." to "...no individuals from the public...";
- b. In the first line of item 4, change "...no public individuals present..." to "...no individuals from the public...";
- c. Item 6.g – correct the spelling of Mr. McDonough

On a motion by Anne Haley and seconded by Pat Riley, the minutes of the October 15, 2014 Regular Meeting were unanimously approved as updated.

**2. 7:15 PM Public Hearing – FLSA Salary Basis Policy [#P-105] (deletion)**

There were no individuals from the public present or comments submitted. Notice provided via letter dated October 20, 2014 from Board Chairman Hajjar to every person or board empowered to employ persons to perform a service for the Town.

The Board previously adopted Administrative Procedure A-103 [Exempt or Non-Exempt – FLSA Salary Basis]. The Board feels the policy is no longer needed with the adoption of Administrative Procedure A-103. The Policy is not really a policy for employees, as it is the Board's responsibility to determine if a position is Exempt or Non-Exempt based on job functionality using the approved FLSA Exempt Test process

A motion to close the hearing at 7:25 PM was made by Anne Haley, seconded by Pat Riley. The motion passed unanimously.

On a motion by Anne Haley and seconded by Jack Taylor, the Board approved the deletion of the FLSA Salary Basis Policy. Chairman Hajjar will delete the policy from the Town's website and send out the appropriate notification.

### 3. Reports / General Correspondence

- a. A copy of the 2014 YTD Activity Report was distributed and filed for record. The PB stands at 65% complete through October.
- b. A copy of the adopted Domestic Violence Leave Policy [#P-313] and cover letter to all Appointing Authorities and Department Heads that was disseminated on October 17, 2014 was provided and filed for record.
- c. A copy of the adopted four(4) policies that were updated for format and standard language and the information letter sent to all Appointing Authorities and Department Heads that was disseminated on October 20, 2014 was provided and filed for record.
- d. A copy of the decision letter to Mark Ryan, DPW and Engineering Director, concerning the W2 Reclassification Appeal was distributed and filed for record.
- e. A copy of the letter sent to Michelle Pizzi, HR Director, and Joseph McDonough, Facilities Maintenance Craftsman concerning the job title for a C6 position was distributed and filed for record.

### 4. 7:45 PM Public Hearings – format updates to 5 existing policies

- a. Family Medical Leave Policy [#P-301]
  - i. Section 2.1 – 2<sup>nd</sup> sentence-delete “Employees whose” and “are”;
  - ii. Section 2.1 was modified to separate the individual employment agreement language to new Section 2.2: “To the extent permitted by law, individual employment agreements (new, updated or extensions) entered into after the effective date of this policy, with employees whose positions are subject to this policy, must follow all of the provisions of this policy.”;
  - iii. Add Section 2.3 – “This policy is intended to be consistent with any and all applicable laws. If any part of this policy is inconsistent with the law, that part of the policy shall be considered invalid, and the remaining provisions of the policy shall be construed so as to be consistent with the law.”;
  - iv. Existing Section 2.3 is now listed under new Section 4 – Eligibility. Delete the first 5 words. Change the end of the first sentence to read “...are eligible to request a leave under this policy.”
  - v. Throughout the document, references are made to parts of Section 4, which were renumbered to reflect corrected Section 5;
  - vi. Add Section 5.6 - “Department Heads are required to act consistent with this policy and ensure this policy is implemented consistently within their department.”;
  - vii. Add Section 5.7 - “In the event of an error or violation of this policy, either intentional or unintentional, Human Resources must be immediately informed. Human Resources will identify and make the proper correction(s). A violation of this policy, whether intentional or unintentional, will not change this policy, nor set a precedent in any future application of this policy.
  - viii. Change Section 6 heading from “Procedures” to “Provisions”;
  - ix. Existing Section 5.14, Continued Leave, which becomes 6.14 Continued Leave, - add Unpaid Leave after the word “Town” in the second line;
  - x. Existing Section 5.14, now Section 6.14, add the following sentence at the end of the paragraph – “Employees are reminded that he/she must use any and all available personal leave and vacation leave before requesting an unpaid leave.

- xi. Add Section 7 - Applicable Laws / Statutes and include 2 bullets Family and Medical Leave Act of 1993 and M.G.L. Chapter 149;
  - xii. Add the following at the end of the policy;  
The following documents associated with and attached to this policy may change to meet the needs of the Town or new requirements of law. The Human Resources Director may make the necessary document changes without changing the intent or content of this policy. Please consult the Human Resources Department for the most current version:  
#D-131 – Employee Acknowledgement of Receipt of Policy; and,
  - xiii. Add the Personnel Board signature section at the end of the policy.
- b. Americans With Disabilities Act Policy [#P-303]
- i. The updated Town soldier symbol replaced the current soldier symbol;
  - ii. The name of the policy was changed to Americans With Disabilities Policy;
  - iii. Section 1.2 – add the indication of Professional Conduct Policy and Workplace Violence Protection Policy as references;
  - iv. Section 2.1 – 2<sup>nd</sup> sentence-delete “Employees whose” and “are”;
  - v. Section 2.1 was modified to separate the individual employment agreement language to new Section 2.2: “To the extent permitted by law, individual employment agreements (new, updated or extensions) entered into after the effective date of this policy, with employees whose positions are subject to this policy, must follow all of the provisions of this policy.”;
  - vi. Add Section 2.3 – “This policy is intended to be consistent with any and all applicable laws. If any part of this policy is inconsistent with the law, that part of the policy shall be considered invalid, and the remaining provisions of the policy shall be construed so as to be consistent with the law.”;
  - vii. Add Section 4 – Eligibility - “This section intentionally left blank.” Other sections moved down one number;
  - viii. Existing Section 7 “Drug And Alcohol Abuse” becomes Section 5.3 under Policy;
  - ix. Add Section 5.4 - “Department Heads are required to act consistent with this policy and ensure this policy is implemented consistently within their department.”;
  - x. Add Section 5.5 - “In the event of an error or violation of this policy, either intentional or unintentional, Human Resources must be immediately informed. Human Resources will identify and make the proper correction(s). A violation of this policy, whether intentional or unintentional, will not change this policy, nor set a precedent in any future application of this policy.
  - xi. Change Section 6 heading from “Procedures” to “Provisions”;
  - xii. Existing Section 8 “Grievance Procedures” becomes Section 6.4 under Provisions;
  - xiii. Existing Section 9 “External Agencies” becomes Section 7.3 under Applicable Laws / Statutes;
  - xiv. Existing Section 10 - “Conflicts Between this Policy and the Law” becomes Section 7.2 under Applicable Laws / Statutes;
  - xv. Existing Section 11 - “Questions Regarding this Policy” becomes Section 7.1 under Applicable Laws / Statutes;
  - xvi. Existing Section 12 - “Applicable Statutes” becomes Section 7.2.c under Applicable Laws / Statutes;
  - xvii. The Board signature section was added at the end of the policy;

- xviii. The Employee Acknowledgement of Receipt of Policy was changed to be in the same format and wording as more recent acknowledgement forms; and;
- xix. The footer section which indicated the policy name needs to spell out “Disabilities”.

c. Military Leave Policy [#P-305]

- i. Section 2.1 – 2<sup>nd</sup> sentence-delete “Employees whose” and “are”;
- ii. Section 2.1 was modified to separate the individual employment agreement language to new Section 2.2: “To the extent permitted by law, individual employment agreements (new, updated or extensions) entered into after the effective date of this policy, with employees whose positions are subject to this policy, must follow all of the provisions of this policy.”;
- iii. Section 2.3 was modified by adding the words “so as” in the last line after the word “construed”;
- iv. Add Section 4 – Eligibility;
- v. Add Section 4.1 - Regular Full-time and Regular Part-time employees budgeted for and regularly scheduled to work at least 20 hours per week, are eligible for military leave benefits;
- vi. Add Section 4.2 - Part-time employees budgeted for and regularly scheduled to work fewer than 20 hours per week, Intermittent/Seasonal/Temporary Employees, Interns, and Volunteers are not eligible for military leave benefits;
- vii. Add Section 5.5 - “Department Heads are required to act consistent with this policy and ensure this policy is implemented consistently within their department.”;
- viii. Add Section 5.6 - “In the event of an error or violation of this policy, either intentional or unintentional, Human Resources must be immediately informed. Human Resources will identify and make the proper correction(s). A violation of this policy, whether intentional or unintentional, will not change this policy, nor set a precedent in any future application of this policy.
- ix. Change new Section 6 heading from “Procedures” to “Provisions”;
- x. Existing Section 6 - Resources is changed to Section 6.7; and,
- i. Section 7 was retitled to “Applicable Laws / Statutes.

d. Personnel Records Policy [#P-402]

- i. Section 2.1 – 2<sup>nd</sup> sentence-delete “Employees whose” and “are”;
- ii. Section 2.1 was modified to separate the individual employment agreement language to new Section 2.2: “To the extent permitted by law, individual employment agreements (new, updated or extensions) entered into after the effective date of this policy, with employees whose positions are subject to this policy, must follow all of the provisions of this policy.”;
- iii. Add Section 2.3 – “This policy is intended to be consistent with any and all applicable laws. If any part of this policy is inconsistent with the law, that part of the policy shall be considered invalid, and the remaining provisions of the policy shall be construed so as to be consistent with the law.”;
- iv. Add Section 4 – Eligibility “This section intentionally left blank.” Other sections moved down one number;
- v. Add Section 5.4 - “Department Heads are required to act consistent with this policy and ensure this policy is implemented consistently within their department.”;
- vi. Add Section 5.5 - “In the event of an error or violation of this policy, either intentional or unintentional, Human Resources must be immediately informed. Human Resources

will identify and make the proper correction(s). A violation of this policy, whether intentional or unintentional, will not change this policy, nor set a precedent in any future application of this policy.

- vii. Add new Section 6 provisions
  - viii. Existing Section 5 becomes new Section 6.1
  - ix. Existing Section 6 becomes new Section 6.5
  - x. Existing Section 7 becomes new Section 6.9
  - xi. Existing Section 8 becomes new Section 6.10
  - xii. Add new Section 7 “Applicable Laws / Statutes”
  - xiii. Add new Section 7.1 “A number of laws are implicated by this policy, which outline employee rights and the requirements of the employer. These include, but may not be limited to, M.G.L. Chapter 149 - Section 52C, M.G.L. Chapter 149 - Section 52C, and M.G.L. Chapter 4 - Section 7.”;
  - xiv. Add new Section 7.2 “Norwood By-Law XXXIX requires the Human Resources Department to maintain personnel records and data for all town employees, including maintaining a central file system.”;
  - xv. Add Document #D-125 to the list under Section 7
  - xvi. Add the Personnel Board signature section at the end of the policy; and,
  - xvii. Add new Document #125 – Employee Acknowledgement of Receipt of Policy” at the end of the policy as an attachment.
- e. Alcohol and Drug Policy [#P-404]
- The Board did receive feedback from NPD Chief Brooks via e-mail dated November 17, 2014, a copy which was provided to each member.
- i. The updated Town soldier symbol replaced the current soldier symbol;
  - ii. Section 2.1 – 2<sup>nd</sup> sentence-delete “Employees whose” and “are”;
  - iii. Section 2.1 was modified to separate the individual employment agreement language to new Section 2.2: “To the extent permitted by law, individual employment agreements (new, updated or extensions) entered into after the effective date of this policy, with employees whose positions are subject to this policy, must follow all of the provisions of this policy.”;
  - iv. Section 2.3 was modified to read “This policy is intended to be consistent with any and all applicable laws. If any part of this policy is inconsistent with the law, that part of the policy shall be considered invalid, and the remaining provisions of the policy shall be construed so as to be consistent with the law.”;
  - v. Add new Section 4 – Eligibility “This section intentionally left blank.” Other sections moved down one number;
  - vi. Section 5.1.c, there is an extra “the” in the 5<sup>th</sup> line down “...provided for ~~the~~ in the Omnibus...”;
  - vii. Section 5.1.f, the phrase “medically authorized” in the 4<sup>th</sup> line was changed to “prescribed”;
  - viii. Add Section 5.6 - “Department Heads are required to act consistent with this policy and ensure this policy is implemented consistently within their department.”;
  - ix. Add Section 5.7 - “In the event of an error or violation of this policy, either intentional or unintentional, Human Resources must be immediately informed. Human Resources will identify and make the proper correction(s). A violation of this policy, whether intentional or unintentional, will not change this policy, nor set a precedent in any future application of this policy;

- x. Existing Section 5, now Section 6, has a title change to “Provisions”;
- xi. Section 6.1.b - change “him/herself” to “themselves” in the next to the last sentence;
- xii. Section 6.3.c – change “wishes” to “wish” in the first sentence;
- xiii. Section 6.4 – change “will” to “may” and add Unpaid Leave Policy reference;
- xiv. Existing Section 7 becomes new Section 5.3 and delete the last sentence beginning “All employees...”;
- xv. Existing Section 8 becomes new Section 5.4;
- xvi. Existing Section 9 becomes new Section 5.5;
- xvii. Existing Section 10 becomes new Section 7.1;
- xviii. Add new Section 7.2 “U.S. Department of Transportation – 1991 Omnibus Transportation;
- xix. Existing Section 11 becomes new section 6.4 and is modified by changing the word “will” to “may” in the first 2 sentences. Change the word “they” to “he or she” in the 3<sup>rd</sup> sentence. Add the reference to Unpaid leave Policy #P-311;
- xx. Delete the word Form in referencing #D-115 – Employee Acknowledgement, under Section 7
- xxi. Add the Personnel Board signature section at the end of the policy; and,
- xxii. Change Document #D-115 to be in the same format and wording as in more recent Employee Acknowledgement of Receipt of Policy documents.

A motion to close the hearing at 8:50 PM by Anne Haley and seconded by Pat Riley passed unanimously by the Board.

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- 4.1 A motion by Anne Haley and seconded by Jack Taylor to adopt the updated Family Medical Leave Policy [#P-301] was passed unanimously. Chairman Hajjar will disseminate the appropriate final policy with cover letter.
  - 4.2 A motion by Anne Haley and seconded by Pat Riley to adopt the updated Americans with Disabilities Policy [#P-303] was passed unanimously. Chairman Hajjar will disseminate the appropriate final policy with cover letter.
  - 4.3 A motion by Anne Haley and seconded by Jack Taylor to adopt the updated Military Leave Policy [#P-305] was passed unanimously. Chairman Hajjar will disseminate the appropriate final policy with cover letter.
  - 4.4 A motion by Anne Haley and seconded by Pat Riley to adopt the updated Personnel Records Policy [#P-402] was passed unanimously. Chairman Hajjar will disseminate the appropriate final policy with cover letter.
  - 4.5 A motion by Anne Haley and seconded by Pat Riley to adopt the updated Alcohol and Drug Policy [#P-404], pending confirmation of language in Section 6.4 with Town Counsel, was passed unanimously. Chairman Hajjar will disseminate the appropriate final policy with cover letter.

## 5. Policy Reviews

- a. MA Attorney General Martha Coakley issued an Advisory concerning new M.G.L. c.149, s.52E *Employment Leave for Victims and Family Members of Abuse*, as part of the act Relative to Domestic Violence. The Advisory basically covers what is already in the Town’s Domestic Violence Leave Policy [#P-313], but does not address the form to utilize when

requesting such a leave. The Advisory provides a form titled “Failure to provide Employment Leave for Victims and relatives of Victims of Abusive Behavior Complaint.

The Board agreed to adopt this form as an attachment to the policy, similar to #D-144 and #D-145. However, at some point an update will be required to reference the Complaint Form in the policy under Section 5.6.

b. Updates to Policies for format changes and standard language changes:

- *Vehicle Use Policy [#P-405]*
- *Employee Performance Award Policy [#P-501]*
- *Employee Recognition Award Policy [#P-502]*

A public hearing is scheduled for December 10, 2014 at 8:00 PM in the FinCom Room (Room 24) of Town Hall.

c. General Town-wide CORI Policy (new) (Will Krasnow)  
Being worked on by Will Krasnow

d. Seasonal/Temporary Employment Policy [#P-103] Updates  
Michelle Pizzi is working with Town Counsel on the Seasonal and Temporary Employee definitions.

e. Longevity Policy [#P-503] (new) – a third public hearing is set for December 10, 2014 at 7:35 PM in the FinCom Room (Room 24) of Town Hall. Chairman Hajjar has reviewed the main points of the policy with each BOS member. Chairman Hajjar also met with John Carroll to get feedback. A draft letter to the employees is being drafted to explain the policy and effect on when employees will receive the Longevity payment based on when an employee achieves the recognized level of creditable service in years. Michelle Pizzi is also putting together a list of work groups and union locals with their payment dates. Anne Haley will draft an implementation schedule to limit delays of when employees will get their Longevity payment after implementation.

f. Communications and Technology Policy [#P-401] – Jack Taylor and Chairman Hajjar received feedback from Mark Redlich and there were significant changes proposed. Jack and David met to review the changes and put them in the policy format adopted by the Board. An updated draft was sent back to Mark for review. Jack and David are trying to meet with Mark before the public hearing, which is scheduled for December 10, 2014 at 7:15 PM in the FinCom Room (Room 24) of Town Hall.

g. Work continues on a Sick Leave Policy [#P-304]. Michelle’s office shall look into the Towns that have switched from a Sick Day Leave to a Short term Disability policy. Chairman Hajjar has met with each BOS member and they would like to see the data prior to having a more formalized meeting about Sick leave.

h. There are no new policies to be developed, except maybe for a Social Media Policy, which will be discussed in 2015.

## **6. New/Unfinished Business**

- a. Norwood Airport Commission Staffing Study – Chairman Hajjar to issue final document by the end of December.
- b. Airport Assistant Manager–FLSA Determination – need discussion with Town Counsel

- c. Exempt / Non-exempt Notification letters – 75% complete. Chairman Hajjar to complete by the end 2014.
- d. Guidelines – the Board approved the concept of having Guidelines to cover issues where a policy may not be appropriate. There are 2 proposed Guidelines; G-101 Employee Goals and Objectives and G-102 Business Continuity Planning. More discussion next meeting
- e. St. Catherine’s School Nurse – to be discussed in the future.

There being no further business before the PB, on a motion by Jack Taylor and seconded by Pat Riley, the PB unanimously voted to adjourn at 9:45 PM.

**Next meetings:** Wednesday, December 10, 2014 at 7 PM  
FinCom Conference Room (Room 24) of Town Hall  
Regular Meeting w/Public Hearing

Wednesday, January 21, 2015 at 7 PM  
FinCom Conference Room (Room 24) of Town Hall  
Regular Meeting w/Public Hearing