

W.F.
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Reference

CHAPTER 10
OF THE BY-LAWS OF THE
TOWN OF WATERTOWN, MASS.

WATERTOWN PUBLIC
LIBRARY



PERSONNEL, WAGE AND SALARY
ADMINISTRATION

VOTED By Action of Town Meeting
March 16 and March 23, 1964
under articles 8 and 51, respectively,
With amendments through 1973
Annual Town Meeting

349.9744
WAT
1973

CHAPTER 10

PERSONNEL, WAGE AND SALARY ADMINISTRATION

SECTION 1. AUTHORIZATION

Pursuant to the authority contained in Sections 108A and 108C of Chapter 41 of the General Laws there shall be established plans, which may be amended from time to time by vote of the Town at an Annual Town Meeting; (a) classifying positions in the service of the Town other than those filled by popular election, those under the jurisdiction of the School Committee, those for which incumbents render contractual services which are not provided during regularly established working hours and those which are essentially seasonal with respect to the duties which the incumbents perform and which do not appear in Schedule A of Section 7 following, into groups and classes doing substantially similar work or having substantially equal responsibilities; (b) authorizing a compensation plan for positions in the classification plan; (c) providing for the administration of said classification and compensation plans and; (d) establishing certain working conditions and fringe benefits for employees occupying positions in the classification plan.

Paragraphs 2 and 3 (Welfare Compensation Plan) deleted, (Art. 52, March 22, 1971)

SECTION 2. DEFINITIONS

As used in this by-law, the following words and phrases shall have the following meanings unless a different construction is clearly required by the context or by the laws of the Commonwealth:

"Administrative Authority," the elected or appointed official or board, having jurisdiction over a function or activity;

"Board," the Personnel Board as defined in Section 3;

"Class," a group of positions in the Town service sufficiently similar in respect to duties and responsibilities so that the same descriptive title may be used to designate each position allocated to the class, that the same qualifications shall be required of the incumbents, that the same tests of fitness may be used to choose qualified employees and that the same scale of compensation can be made to apply with equity;

"Classification Plan," class titles appearing in Schedule A of Section 7 of this by-law plus class specifications which are on file with the Personnel Board and which are hereby incorporated by reference;

"Compensation Grade," a range of salary or wage rates appearing in Schedules B, C, D or E of Section 7;

"Compensation Plan," Schedules B, C, D and E in Section 7;

"Continuous Employment," employment (either full-time or part-time) requiring a predetermined minimum work week and uninterrupted except for required military service and for authorized vacation or other leave of absence;

"Department," any department, board committee commission or other agency of the Town subject to this by-law;

"Employee," an employee of the Town occupying a position in the classification plan;

"Full-time Employee," an employee retained in full-time employment;

"Full-time Employment," employment for not less than 7.5 hours per diem for five days a week for fifty-two weeks per annum, minus legal holidays and authorized vacation leave, sick leave and other leave of absence;

"Group," or "Occupational Group," a group of classes designated by occupation as appearing in Schedule A of Section 7;

"Increment," the dollar difference between step rates;

"Maximum Rate," the highest rate in a range which an employee normally is entitled to attain;

"Minimum Rate," the rate in a range which is normally the hiring rate of a new employee;

"Permanent Employee," an employee retained in continuous employment in a permanent position;

"Permanent Position," a full-time or part-time position in the Town service which has required or which is likely to require the services of an incumbent in continuous employment for a period of fifty-two calendar weeks;

"Personal Rate," a rate above the maximum rate applicable only to a designated employee;

"Position," an office or post of employment in the Town service with duties and responsibilities calling for the full-time, part-time or seasonal employment of one person in the performance and exercise thereof;

"Promotion," a change from a position of lower class and compensation grade to a position with greater responsibilities in a higher class and compensation grade;

"Range," the dollar difference between minimum and maximum rates;

"Rate," a sum of money designated as compensation for personal services on an hourly, daily, weekly, monthly, annual or other basis;

"Regular Employee," an employee who has worked thirty weeks in the aggregate during the twelve consecutive months ending May 31st of any calendar year;

"Step Rate," a rate in a range of a compensation grade;

"Part-time Employee," a person employed in a permanent status to a position in the several departments whose period of employment is less than the regular hours of work for the department to which he has been employed.

"Part-time Employment," employment on a regular basis with scheduled hours less than the regular scheduled hours of work for the department.

"Seasonal Employment," appointment to the employee force for a fixed period of time, and which appointment shall terminate at the conclusion of such period of time.

"Temporary Employee," an employee who is appointed to the employee force for regular, full-time employment pending certification to permanent status, or to a permanent position in probationary or acting status, pending certification to permanent status.

"Temporary Position," a position in the Town service which requires or is likely to require the services of one incumbent for a period less than fifty-two calendar weeks in continuous employment;

"Town," the Town of Watertown.

SECTION 3. PERSONNEL BOARD

(a) There shall be a Personnel Board consisting of five members, responsible for the administration of the classification and compensation plans. One member shall be a member of the Finance Committee, and four shall be citizens at large of the town. Appointments to the Personnel Board shall be made by the Moderator.

(Amended March 29, 1969, Art. 15)

(b) In making these appointments the Moderator shall give consideration to the personal qualifications of those citizens who will best meet the responsibility of the Board to represent both Town employees and taxpayers. If possible, the make-up of the Board shall consist of members professionally qualified who are familiar with the principles and experienced in the methods and practices of labor relations and personnel administration.

(c) The terms of office of members of the Board shall be as follows: The Member of the Finance Committee shall serve for a term of one year. One citizen for a term of one year, and one citizen shall be appointed for a term of two years, and two citizens shall be appointed for terms of three years. Upon expiration of the first terms of said citizen members, their successors shall be appointed for terms of three years.

(Amended March 22, 1971, Art. 51)

(d) The Board shall administer the plans and shall establish such procedures as it deems necessary for the proper administration thereof.

(e) Forthwith after its appointment and annually, the Board shall meet and organize by electing a chairman and appointing a secretary who shall be a member of the Board. A majority of the Board shall constitute a quorum for the transaction of business. A majority of the

shall determine the action the board must take in all matters which it is authorized or required to pass under this by-law.

(f) The Board may employ assistance and incur expenses as it deems necessary subject to the appropriation of funds therefor. It shall appoint a clerk.

(Amended March 18, 1969, Art. 16)

(g) The clerk of the Board shall maintain adequate personnel records of all employees occupying positions subject to the classification and compensation plans.

(h) The Board from time to time, of its own motion, shall investigate the work features and rates of salaries or wages of any or all positions subject to the provisions of this by-law. Such reviews shall be made at such intervals as the Board deems necessary and, to the extent which the Board considers practicable, shall include all occupational groups in the classification plan.

(i) The Board shall maintain written job descriptions or specifications of the classes in the classification plan, each consisting of a statement describing the essential nature of the work and the characteristics that distinguish the class from other classes. The description for any class shall be construed solely as a means of identification and not as prescribing what the duties or responsibilities of any position shall be, or as modifying, or in any way affecting, the power of any administrative authority, as otherwise existing, to appoint, to assign duties to, or to direct and control the work of any employee under the jurisdiction of such authority.

(j) Upon recommendation of a department head, supported by evidence in writing of special reasons and exceptional circumstances satisfactory to the Board, the Board may authorize an entrance rate higher than the minimum rate for a position, and/or such other variance in the compensation plan as it may deem necessary for the proper functioning of the services of the Town. No variance shall become effective unless, or until, the necessary funds have been appropriated therefor.

Initial employment in the library service in any of the professional positions or classifications included in Section 7 may be at rates above the minimum rate shown, when, in the judgment of the Trustees of the Free Public Library prior experience and training justifies such rate, and the authorization of the Board in such cases shall not be required.

(k) The Board shall make an annual report in writing to the Board of Selectmen and the Finance Committee not later than the fourth Monday prior to the first business meeting of the Annual Town Meeting.

SECTION 4. CLASSIFICATION PLAN

(a) All positions in the service of the Town except those excluded by Section 1 are hereby classified by titles appearing in Schedule A of Section 7 which is made a part hereof. These classes of positions shall constitute the classification plan for paid Town services.

(b) The title of each class, as established by the classification plan, 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.

(c) The title of a position which is held by an employee with a dual or a multiple Civil Service rating shall be that recommended by the employee's department head, or by the administrative authority having jurisdiction over the organization unit to which the employee is assigned.

(d) Whenever a new position is established, or the duties of an existing position are so changed that in effect a new position is created, upon presentation of substantiating data satisfactory to the Personnel Board, the Board shall allocate such new or changed position to its appropriate class.

(e) No position may be reclassified until the Personnel Board shall have determined such reclassification to be consistent with the classification plan.

SECTION 5. COMPENSATION PLAN

(a) The compensation plan shall consist of Schedules B, C, D and E of Section 7 which provide minimum and maximum salaries or wages for certain of the classes in the classification plan. The salary range of a class shall be the salary range of all positions allocated to the class.

(b) Each employee shall continue to be paid on the same basis as in effect at the time of adoption of this by-law unless otherwise provided in the compensation plan.

(c) No administrative authority shall fix the salary of any employee in a position in the classification plan except in accordance with the compensation plan.

(d) No person shall be paid as an employee in any position subject to the provisions in the classification plan under any title other than those appearing in Schedule A of Section 7.

(e) An employee in continuous employment in a class appearing on Schedules B, C, D or certain grades of Schedule E of Section 7 shall receive the increment between his present rate and the next higher step rate as follows:

- (1) Beginning with the pay period following completion of twelve months service at the minimum or other rate if a rate other than the minimum is authorized as his hiring rate.
- (2) Thereafter twelve months from the date of his previous increase until he attains the maximum rate of the range of the compensation grade to which his class is assigned.

(f) An employee receiving a promotion to a vacant position or to a new position as defined in Section 4(c) shall, upon assignment resulting from such promotion, receive the rate in the compensation grade of the vacant or new position next above his existing rate. If the resulting adjustment does not equal \$100.00 for a position class assigned to Schedule B or \$.05 for a position class assigned to Schedule D, the adjustment shall be to the second rate above the existing rate but within the compensation grade of the vacant or new position.

(g) The employee receiving a promotion and adjustment in rate pursuant to the provisions of the preceding sub-section shall receive the next increment of his compensation grade following completion of twelve months at the rate resulting from the promotion.

(h) The employee who is transferred to a similarly rated or to a lower rated position for the convenience of the Town shall enter the new position at his rate in the position from which he is transferred.

(i) Each administrative authority shall include in its estimates, required by the provisions of Section 59 of Chapter 41 of the General Laws, a pay adjustment section setting forth in detail the amounts which will be required for anticipated pay adjustments during the ensuing year and shall furnish a copy thereof to the Board.

SECTION 6. AMENDMENT OF THE PLANS

(a) The classification plan and/or the compensation plan and/or other provisions of this by-law may be amended by vote of the Town at an Annual Town Meeting in the same manner as other by-laws of the Town may be amended. However, no amendment shall be considered or voted on by Town Meeting unless the proposed amendment has first been considered by the Board and the Finance Committee.

(b) The recommendation of the Personnel Board as to a proposed

amendment to Chapter 10 shall be made to the Town Meeting before a vote is taken thereon. A proposed amendment must be submitted to a Town Meeting substantially as presented to and as heard by the Personnel Board.

(c) Similarly the Finance Committee shall report to Town Meeting as a part of its estimates of Town expenditures the impact of a proposed amendment which is approved by the Personnel Board together with such recommendation or recommendations as the Finance Committee deems expedient.

(d) The Board, of its own motion, may propose an amendment to the plans or other provisions of this by-law based on its findings resulting from its investigations as provided in Section 3(h).

SECTION 7. POSITION CLASSES: SALARY, WAGE AND MISCELLANEOUS COMPENSATION SCHEDULES

The following schedules, together with class specifications previously incorporated by reference, constitute the classification and compensation plans of the Town as defined in Section 2:

- SCHEDULE A - Classification of Positions by Occupational Groups and Assignment to Compensation Grades
- SCHEDULE B - General Annual Salary Schedule
- SCHEDULE C - Police - Fire Annual Salary Schedule
- SCHEDULE D - Hourly Wage Schedule
- SCHEDULE E - Miscellaneous Salary Schedule

SCHEDULE A

CLASSIFICATION OF POSITIONS BY OCCUPATIONAL GROUPS AND ASSIGNMENT OF CLASSES TO COMPENSATION GRADES

Class Title	Compensation Grade or Schedule
Administrative and Clerical Group	
Assistant Election Commissioner	S-4
Assistant Town Clerk	S-12
Clerk to Board of Assessors	S-8
Confidential Secretary to Selectmen	S-8
Engineering Aid, Grade 1	S-6
Engineering Aid, Grade 2	S-10
Head Account Clerk	S-8
Head Clerk	S-8
Junior Clerk	S-1
Junior Clerk-Stenographer	S-1
Junior Clerk-Typist	S-1
Principal Account Clerk	S-6

Class Title	Compensation Grade or Schedule
Principal Clerk	S-4
Principal Clerk-Stenographer	S-4
Principal Clerk-Typist	S-4
Senior Clerk	S-2
Senior Clerk-Stenographer	S-2
Senior Clerk-Typist	S-2
Senior Clerk-Typist, Billing Machine Operator	S-3
Telephone Operator	S-3
Water Registrar	S-7
Clerk, Retirement Board	S-7
Custodian Group	
Junior Building Custodian	S-7
Senior Building Custodian	S-10
Inspection Group	
Health Inspector	S-10
Inspector of Buildings	S-15
Inspector of Plumbing and Gas Fitting	S-17
Sanitarian	S-12
Sealer of Weights and Measures	S-13
Library Group	
Library Assistant 1	L-1
Library Assistant 2	L-2
Library Assistant 3	L-3
Pre-Professional 1	L-4
Pre-Professional 2	L-5
Librarian 1	L-6
Librarian 2	L-7
Librarian 3	L-8
Assistant Library Director	L-9
Professional Group	
Civil Engineer, Grade 4	S-19
Hygienist	X-1
Junior Civil Engineer, Grade 3 (Construction) (a) Limited to Engineering Dept. employee with civil service rating of Jr. Civil Engineer, Grade 3 as of January 1, 1966	S-15
Junior Civil Engineer, Grade 3	S-14
Public Health Nurse	S-9
Social Worker - Investigator, Veterans Services	S-8
Mechanical and Construction Group	
Assistant Superintendent, Water Section	S-14
Assistant Superintendent, Wire Section	S-16
Building Maintenance Craftsman	S-11
Cemetery Superintendent	S-14
Forestry Foreman	S-11
Highway Foreman	S-12
Lineman, Wire Section	S-11

Class Title	Compensation Grade or Schedule
Electrician, Lineman, Wire Section	S-13
Electrician, Foreman, Wire Section	S-14
Motor Equipment Maintenance Foreman	S-12
Supervisor of Foreman	S-15
Time Keeper	S-11
Water Construction Foreman	S-11
Water Meter Inspector	S-7
Parking Meter Collector and Maintenance Man	S-7
Labor Group	
Blacksmith	W-6
Carpenter	W-8
Cement Finisher	W-8
Construction Handyman	W-4
Crane Operator	W-7
Garageman	W-6
Grader Operator	W-7
Incinerator Maintenance Repairman	W-7
Laborer (Rubbish)	W-2
Laborer (Semi-Skilled)	W-2
Laborer (Skilled)	W-3
Laborer (Unskilled)	W-1
Mason	W-7
Motor Equipment Operator, Grade 1	W-3
Motor Equipment Operator, Grade 2	W-4
Motor Equipment Operator, Grade 3	W-5
Motor Equipment Repairman	W-9
Painter	W-4
Shovel Operator	W-10
Sign Painter	W-6
Stoker	W-4
Storekeeper	W-9
Tin Knocker - Spray Painter	W-6
Tree Climber	W-5
Tree Surgeon	W-5
Water Meter Tester and Repairer	W-6
Water System Maintenance Craftsman	W-6
Weigh Clerk	W-6
Welder	W-8
Working Foreman	W-11
Public Safety Group	
Ambulance Driver, Motor Equipment Utility Man	F-1
Deputy Fire Chief	F-4
Fire Captain	F-3
Fire Fighter	F-1
Fire Alarm Signal Operator	X-2
Firefighter/Fire Alarm Signal Operator	F-1 & X-2

Class Title	Compensation Grade or Schedule
Fire Lieutenant	F-2
Head Clerk (Fire Dept.)	X-2
Limited to position on January 1, 1966 of Head Clerk Position in the Police Department with rating of Stenographer-Clerk and of the clerical positions in the Fire Department with rating of Head Clerk	
Mechanician Fire Department	F-3
Patrolman	P-1
Patrolman/Dog Officer	P-1-D
Police Captain	P-4
Police Lieutenant	P-3
Police Sergeant	P-2
Stenographer - Clerk (Male) (Police)	P-1
Limited to present incumbent (Art. 47, March 16, 1970)	
Supervisory Group	
Administrative Assistant to the Selectmen	X-3
Executive Secretary to Board of Election Commissioners	S-14
Fire Chief	F-5
Health Officer and Agent	S-16
Library Director	L-10
Police Chief	P-5
Purchasing Agent	S-20
Recreation Director	S-17
Superintendent, Wire Section	S-18
Supervisor of Incinerator	S-15
Town Engineer	S-20
Veterans' Agent	S-17
A. Assistant Superintendent of Public Works/Highways	S-20
B. Assistant Superintendent of Public Works/Utilities	S-16
C. Assistant Superintendent of Public Works/Cemetery and Grounds	S-16
D. Assistant Superintendent of Public Works/Engineering and Inspection	S-20
E. Assistant Superintendent of Public Works/Personnel, Training and Safety	S-16
F. Assistant Superintendent of Public Works/Material and Equipment	S-16
G. Assistant Superintendent of Public Works/Personnel Training and Safety and Building Inspector	S-21

GENERAL ANNUAL SALARY SCHEDULE
SCHEDULE B

Compensation Grade	Min.	II	III	IV	Max.
S-1				5,680	5,895
S-2	5,895	6,120	6,340	6,570	6,800
S-3	6,570	6,800	7,050	7,320	7,585
S-4	6,800	7,050	7,320	7,585	7,870
S-5	7,050	7,320	7,585	7,870	8,160
S-6	7,320	7,585	7,870	8,160	8,505
S-7	7,585	7,870	8,160	8,505	8,855
S-8	7,870	8,160	8,505	8,855	9,205
S-9	8,160	8,505	8,855	9,205	9,555
S-10	8,505	8,855	9,205	9,555	9,945
S-11	8,855	9,205	9,555	9,945	10,345
S-12	9,205	9,555	9,945	10,345	10,765
S-13	9,555	9,945	10,345	10,765	11,245
S-14	9,945	10,345	10,765	11,245	11,720
S-15	10,345	10,765	11,245	11,720	12,205
S-16	10,765	11,245	11,720	12,205	12,690
S-17	11,245	11,720	12,205	12,690	13,185
S-18	11,720	12,205	12,690	13,185	13,670
S-19	12,205	12,690	13,185	13,670	14,150
S-20	13,545	14,050	14,550	15,060	15,570
S-21	14,280	14,985	15,710	16,420	17,130

Amended: 3-19-73 (Art. 39)

SCHEDULE B-1

Each employee referred to in Schedule B under Custodian Group who works a shift other than the regular daytime working hours, shall receive a differential increase over his base pay in the following manner:

3:30 P.M. - 12:30 A.M. - Base pay plus fifteen (\$.15) cents per hour.

Amended 3-19-73 (Art. 55)

POLICE - FIRE ANNUAL SALARY SCHEDULE
SCHEDULE C

Compensation Grade	Min.	Max.
P-1	10,160	10,681
P-2	11,462	12,244
P-3	13,025	13,807

P-4	14,458	15,109
P-5	16,775	18,294
Amended 3-23-72 (Art. 55-58)		

P-1	10,512	11,108
P-2	11,920	12,733
P-3	13,546	14,359
P-4	15,036	15,713
Effective 1-1-74		
Amended 3-19-73 (Art. 25)		

	Min.	II	III	Max.
F-1	9,473	10,017	10,562	11,106
F-2			12,040	12,661
F-3			13,519	14,216
F-4			14,999	15,771
Amended 3-19-73 (Art. 22)				

P-5 and F-5 an annual base salary which shall be two (2.0) times the highest annual rate of compensation (maximum) of a permanent, full-time police officer or patrolman (P-1), or a permanent, full-time firefighter (F-1), as the case may be, as provided by Section 57G of Chapter 48 of the General Laws of Massachusetts.

Amended 3-22-73 (Art. 30)

HOURLY WAGE SCHEDULE SCHEDULE D

Compensation Grade	Min.	Max.
W-1	3.86	4.07
W-2	3.89	4.10
W-3	3.94	4.15
W-4	3.99	4.20
W-5	4.05	4.26
W-6	4.11	4.34
W-7	4.16	4.41
W-8	4.23	4.48
W-9	4.29	4.57
W-10	4.39	4.64
W-11	4.49	4.74

Amended 3-19-73 (Art. 35 and 36)

SCHEDULE D-1

Each employee referred to in Schedule D, Grade W-1 through W-10 inclusive, who works hours or shifts other than the regular daytime working hours, shall receive a differential increase over his base pay per hour in the following manner:

Second Shift: 4:00 P.M. - 12:00 A.M. - Base hourly rate plus Fifteen (\$.15) cents per hour
 Third Shift: 12:00 A.M. - 8:00 A.M. - Base hourly rate plus Twenty (\$.20) cents per hour
 Amended: 3/23/72 (Art. 48)

MISCELLANEOUS SALARY SCHEDULE
 SCHEDULE E

Compensation

Grade	Min.	II	III	IV	Max.
X-1	4,580	4,790	5,005	5,225	5,435
X-2		9,575	10,016	10,562	11,108
X-3	15,530				

Amended 3-19-73 (Art. 40)

LIBRARY ANNUAL SALARY SCHEDULE
 SCHEDULE G

Compensation

Grade	Min.	II	III	IV	Max.
L-1	4,771	5,010	5,249	5,487	5,726
L-2	5,726	6,024	6,322	6,620	6,918
L-3	6,202	6,501	6,800	7,099	7,398
L-4	6,679	7,097	7,515	7,933	8,351
L-5	7,156	7,574	7,992	8,410	8,828
L-6	7,515	7,992	8,469	8,947	9,424
L-7	7,992	8,469	8,947	9,424	9,901
L-8	8,469	8,947	9,424	9,901	10,378
L-9	10,733	11,316	11,900	12,483	13,067

Amended: 3/20/72 (Art. 63 and 65)

See Action at Town Meeting June 11, 1973 Art. 2

L-10	13,066	13,719	14,372	15,027	15,679
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Amended 3-19-73 (Art. 20)

SECTION 8. PART-TIME POSITIONS CLASSIFIED IN THE
 ADMINISTRATIVE AND CLERICAL GROUP

Employees occupying administrative or clerical positions in part-time employment which may be continuous employment or which may constitute intermittent or casual service shall be compensated at hourly rates appearing in the following schedule which is hereby incorporated in the Compensation Plan:

Grade	Min.	II	III	IV	V	VI	Max.
S-1	2.39	2.50	2.60	2.71	2.80	2.89	3.03
S-2		3.03	3.14	3.25	3.36	3.48	
S-3		3.36	3.48	3.62	3.74	3.90	
S-4		3.48	3.62	3.74	3.90	4.05	
S-5		3.62	3.74	3.90	4.05	4.19	
S-6		3.74	3.90	4.05	4.19	4.37	

Amended 3-19-73 (Art. 38)

SECTION 9. WORK WEEK

The work week for full-employment in each occupational group shall be as follows:

Group	Work Week
Administrative and Clerical Group	37.5 Hours
Custodian Group	40 Hours
Inspection Group	**As required
Professional Group	**As required
Mechanical and Construction Group	
Fire Alarm Signal Operator	42 Hours
All others in this Group	40 Hours
Labor Group	40 Hours
Library Group	37.0 Hours
Public Safety Group	
Police Classes	
Fire Classes	42 Hours
Supervisory Group	As required

"Each member of the Police Department shall work not more than an average of forty (40) hours per week over a period of six (6) weeks, and not more than eight and one-quarter (8 1/4) hours a day on a regularly scheduled basis, each such member to receive not less than 121 regular days off yearly, characteristic of the four-two-one work schedule, so-called, and not less than two (2) consecutive days off weekly."

Amended 3-22-73 (Art. 27)

**Which shall be not less than 40 hours per week and which may be computed over any 8-week cycle.

(Amended: 3/23/72 Art. 33)

SECTION 10. INITIAL APPLICATION OF THE COMPENSATION PLAN

(a) Upon adoption of this amended by-law at an annual Town Meeting, the rate of each eligible employee occupying a position in the classification plan shall be adjusted retroactive to January 1 of the year of adoption.

(b) The rate of each eligible employee shall be adjusted to the same corresponding step rate in his designated compensation grade of Section 7 as the step rate which he occupied as of January first of the year of adoption. His corresponding step rate shall be determined by the same number of increments below maximum. (If more step rates are in his old than in his new compensation grade, the adjustment shall be at least to the minimum rate of the new compensation grade.)

(c) The adjustment of the rate of an individual employee as provided in the preceding paragraph shall, however, be subject to the following limitations:

- (1) If the amount of the increase is in excess of \$500.00, the first year adjustment shall be limited to \$500.00.
- (2) The balance of the initial adjustment determined by paragraph (b) of this section shall be paid to the eligible employee in the second year following adoption of the compensation plan in addition to any further increment for which the employee may be eligible during that year.

(d) If the minimum rate of an employee's old compensation grade is higher than the minimum rate of his new compensation grade and if his rate is at the old minimum at the time of adoption, his adjustment shall be to the step rate of the new compensation grade which is next above the old minimum rate.

(e) If an employee's rate at the time of adoption is above the maximum rate of his appropriate new compensation grade, his rate shall become a personal rate and as defined in Section 2 shall apply to the subject employee and not to the position.

(f) Following adoption of this by-law and application of rates in Section 7 as provided in the preceding sub-sections, employees shall be eligible for subsequent pay adjustments on anniversary dates as set forth in Section 5 (e).

(g) Nothing in this section shall be construed as authorizing adjustment to any rate above the maximum rate in the range of the compensation grade.

SECTION 11. OVERTIME COMPENSATION

(a) Administration and Clerical Group

An employee occupying a position classified in this group is not entitled to overtime compensation. He may be granted compensatory time off at the discretion of his departmental head for hours worked in excess of those constituting his established work week as set forth in Section 9.

(b) Custodian Group

An employee occupying a position classified in this group shall receive compensation for hours worked in excess of those constituting his established work week at time and one half determined by dividing his weekly rate by forty (40).

Amended 3-22-73 (Art. 41)

(c) Inspection and Professional Group

An employee occupying a position classified in one of these two groups is not entitled to overtime compensation as set forth in Section 9.

(d) Mechanical and Construction Group

Employees occupying positions classified in this group are normally not eligible for compensation for hours worked in excess of those constituting the work week for this group as set forth in Section 9. In the event of special circumstances which may require such overtime services on the part of an employee, the Personnel Board may approve compensation to the employee at time and one half upon application of the department head setting forth the nature and extent of such services.

The Personnel Board may also grant blanket approval upon application of a department head for the payment of overtime at time and one half to employees occupying positions in the Mechanical and Construction Group for services which may be required under emergency conditions.

Payment of overtime compensation to an employee occupying a position in this group will not be made without Personnel Board approval either before or after the fact.

Amended 3-22-73 (Art. 41)

(e) Labor Group

An employee occupying a position in this group shall be compensated at one and one-half times his regular hourly rate for hours worked in excess of eight hours during a regularly assigned work day and for all hours worked on other than a regularly assigned work day provided that he has been credited with forty hours pay at his regular rate for five (5) consecutively assigned work days prior to performing work on the non-assigned work day. Double time will be paid for all hours worked on Sunday, not part of the work week.

(Amended Art. 59, March 30, 1970)

(f) Public Safety Group

- (1) If an employee whose position is in one of the police classifications is required, except for court appearances, to be on duty for any period in excess of his regular hours of duty as from time to time established, he may be given time off equal to such period of overtime duty or if time off cannot be given by reason of personnel shortage or other cause, he may be paid for such period of overtime duty at such an hourly rate as may be determined by the authority in charge of the department, which rate shall in no event be less than one and one-half times the hourly rate of his regular compensation for his average weekly hours of regular duty.
- (2) If an employee whose position is in one of the fire classifications shall be required to be on duty for any period of time in excess of his regular hours of duty, as from time to time established, he may be given time off equal to such period of overtime duty, or if time off cannot be given by reason of a personnel shortage or other cause he may be paid for such period of overtime duty at such hourly rate as may be deter-

mined by the authority in charge of the fire department, which rate shall in no event be less than one and one-half times the hourly rate of his regular compensation for his average weekly hours of regular duty.

(Par. F, Sec. 1 and 2 amended March 18, 1971, Art. 45)

Section 11(g) Library Group

A permanent full time employee occupying a position in this group shall be compensated at one and one-half times his regular hourly rate for all hours worked on Sunday, providing they shall have worked a minimum of 37 hours in the previous week. No employee shall be required to work on Sunday.

Amended 3-22-73 (Art. 19)

SECTION 12. PAID HOLIDAYS

(a) "The following days, proclaimed and recognized by the Commonwealth, shall be recognized as legal holidays within the meaning of this by-law:

- | | |
|-----------------------|------------------|
| New Year's Day | Labor Day |
| Washington's Birthday | Columbus Day |
| Patriot's Day | Veteran's Day |
| Memorial Day | Thanksgiving Day |
| Independence Day | Christmas Day |

on which days employees shall be excused from all duty not required to maintain essential Town service.

(Amended 3/30/70 - Art. 37)

(b) Every employee in full-time employment shall be entitled to these designated holidays on the following terms:

- (1) If paid on an hourly basis he shall receive one day's pay at his regular rate based on the number of hours regularly worked on the day which the designated holiday occurs;
- (2) If paid on a weekly, monthly or similar basis, he shall be granted each designated holiday without loss in pay.
- (3) Permanent part-time employees whose hours of work follow a regular weekly schedule of an average of 20 hours or more, which average may be computed over the previous eight week cycle, shall be paid in such proportion as their part-time service bears to full-time service. Temporary employees, or employees in a temporary employment status, hired on and after December 31, 1971 shall be granted time off without pay. Employees rendering essentially contractual services shall not be paid for time off on such holidays.

(Amended: 3/27/72 Art. 37)

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

(d) An employee occupying a position classified in the Mechanical and Construction or Labor Groups who, because of a rotation of shifts, works different days in successive weeks shall be granted, in each year in which the number of holidays falling on his regular days off is in excess of the number of holidays in that year falling on Saturday, additional days off equal to the excess.

(e) An employee occupying a position classified in the Custodian, Mechanical and Construction or Labor groups who performs work on one of the days or dates designated in sub-section (a) shall be paid at his regular rate for such day or date in addition to the amount to which he is entitled under sub-section (b) unless such work is performed during a tour of duty which began on the day preceding the holiday.

(f) An employee occupying a position classified in the Custodian or Mechanical and Construction groups shall be paid at his regular rate for work performed on Saturday of a week in which one of the days or dates designated in subsection (a) occurs, provided the work performed is that which was scheduled for the day of the holiday.

(g) An employee occupying a position classified in the Public Safety group in one of the police classifications shall be entitled to compensation in addition to that provided under sub-section (b) in accordance with the provisions of Chapter 268, Section 17A of the Acts of 1952 accepted by the Town on April 4, 1955.

(h) An employee occupying a position classified in the Public Safety group in one of the fire classifications shall be entitled to compensation in addition to that provided under sub-section (b) in accordance with the provisions of Chapter 640 of the Acts of 1953 accepted by the Town on April 4, 1955.

(i) Employees occupying positions classified in the Administrative and Clerical, Inspection, Professional and Supervisory groups shall not be entitled to additional compensation for work performed on one of the days or dates designated in sub-section (a).

(j) Whenever one of the holidays set forth in sub-section (a) falls on a Sunday, the following day shall be the legal holiday.

SECTION 13. VACATION LEAVE

Eligible employees shall be entitled to vacation leave as provided in Chapter 3, Section 29 of the by-laws of the Town.

SECTION 14. SICK LEAVE

Eligible employees shall be entitled to sick leave as provided in Chapter 3, Section 29 of the by-laws of the Town.

SECTION 15. PHYSICAL EXAMINATION

Every person hereinafter employed by the Town in a position included in the Classification Plan except when performing casual service, shall undergo a physical examination satisfactory to the Contributory Retirement Board. The examining physician shall be appointed by the Board of Selectmen and shall render a sealed report of his findings to the Personnel Board having the name of the applicant written on the envelope. After receipt of the report has been entered on the Personnel Board's records, such report shall be deposited with the Contributory Retirement Board for safe-keeping, the contents subject to future view only by a physician designated by the Selectmen, otherwise the report shall be confidential.

SECTION 16. CIVIL SERVICE

Nothing in this by-law shall be construed to conflict with Chapter 31 of the General Laws.

SECTION 17. EFFECT OF PARTIAL INVALIDITY

The invalidity of any section or provision of this by-law shall not invalidate any other section or provision thereof.

SECTION 18.

"There shall be added to the annual compensation of each full time employee under this Chapter, other than an employee occupying a position in one of the police classifications, the sum of one hundred dollars (\$100.00) after completion of ten years of continuous employment and an additional fifty dollars (\$50.00) after completion of each and every additional five years of continuous full time employment."

Interruption of such employment for the purpose of performing military service shall not be deemed to break the continuity of service with the departments of the Town under this Chapter provided that no employment other than military service is entered into by the employee during the period of said interruption.

(Sec. 18, voted under Article 51, on March 23, 1964) (Amended March 21, 1968, Art. 114)
Amended 3-22-73 (Art. 28)

SECTION 19.

Notwithstanding any other By-Law of the Town to the contrary, and only during the term of a collective bargaining agreement negotiated between the Town and the bargaining unit and the subject matter hereinafter stated contained therein, the following Plan, and Program, pertaining to the police personnel shall prevail:

Education Incentive Plan. Effective July 1, 1973, an employee occupying a position in one of the police classifications who has earned, or who after July 1, 1973, shall have earned education points as follows, shall be entitled to and shall receive, in addition to other compensation provided under Chapter 10, except longevity, annual payment according to the following schedule:

<u>Education points earned</u>	<u>Annual Payment</u>
60 points for an Associate Degree or towards a Baccalaureate Degree	\$850.00
120 points for a Baccalaureate Degree	\$1150.00

Points and degrees must be earned and credited in the manner specified by Chapter 835 of the Acts of 1970. The Chief of Police shall administer this paragraph. Said Chapter 835 is not to be a part of the plan.

Transitional Career Awards Program. Effective July 1, 1973, an employee occupying a position in one of the police classifications with the following requisite years of service, as of July 1, 1973, or who thereafter attains said requisite years of service, shall be entitled to and shall receive, except longevity, in addition to other compensation provided under Chapter 10, an annual payment in accordance with the following schedule:

<u>Years of Service</u>	<u>Annual Payment</u>
Commencing with the fifth year	\$300.00
Commencing with the tenth year	600.00
Commencing with the fifteenth year	900.00

Payments under the Program shall be made quarterly, shall not be included in base pay for the purpose of computing overtime, court time, sick pay, injured pay, holiday pay, vacation pay, and shall be considered regular compensation for pension and retirement purposes, to the extent permitted by law. Payments under the Plan shall be made quarterly and shall not be included in base pay for the purpose of computing overtime, court time, sick pay, injured pay, holiday pay, vacation pay, and shall be considered regular compensation for pension and retirement purposes.

Only employees employed on July 1, 1973 are eligible to participate in the Transitional Career Awards Program. Patrolmen hired after July 1, 1973 are not eligible to participate therein, but are encouraged to participate in the Education Incentive Plan. Those employees who qualify for payment under both the Plan and the Program shall receive the higher payment to which they are entitled, but not both.

Voted 3-22-73 (Art. 29)

Attest:

GEORGE B. WELLMAN
Town Clerk