

Town of East Longmeadow

East Longmeadow, MA



EMPLOYMENT HANDBOOK

JANUARY, 2021

A Message from the Town Manager

The Town of East Longmeadow is dedicated to providing a work environment that respects diversity in all its forms, values individuality, is free of harassment of any type, and brings personal fulfillment through each individual's work.

The Department Heads and staff are dedicated individuals who bring their collective talents to the Town. They are committed to the Town's mission, and strive every day to ensure that our employees enjoy an environment that promotes excellence in municipal service.

As a municipality, the Town of East Longmeadow takes special interest in the well-being of everyone in its community. The policies, benefits, and services described in this handbook reflect that concern.

We hope you will take pride in being an employee of this community and in your association with the many talented personnel who contribute to our pursuit of good government. We expect that your skills, enthusiasm, and team effort will make an important contribution to the advancement of our mission and the continued success of the Town.

We believe that working together in the spirit of mutual respect and goodwill will make employment with the Town of East Longmeadow a productive and fulfilling experience.

Very Truly Yours,

Town Manager

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PURPOSE

The purpose of this handbook is to provide an outline of the Town of East Longmeadow's general employment guidelines and staff benefits. Because this handbook is a product of continual development and refinement, the information contained herein can, and may be changed. The Town of East Longmeadow reserves the right to alter, modify or terminate these policies as the need arises.

The Town of East Longmeadow may exercise its option to change, in whole or in part, any information which may be contained in this handbook. In addition, not every policy or practice of the Town of East Longmeadow is contained in, or referred to, in this handbook. Should any provision of the Employee Handbook require interpretation, the Town of East Longmeadow will issue the interpretation. No individual can change or make exceptions to the information in the Employee Handbook. Therefore, no one can rely on an oral statement or direction that is inconsistent with the handbook.

Unless otherwise noted, the policies and procedures in this handbook apply to all staff of the Town of East Longmeadow. Nothing appearing in this handbook or in any other document constitutes any understanding or agreement, written or unwritten, regarding or relating to the employment relationship. This handbook is not considered, and is not intended to create, an employment contract or any guarantee with respect to any condition of employment.

The information contained in this handbook is designed for general guidance only. Nothing in this handbook is intended to imply or create contractual obligations between the Town of East Longmeadow and any or all of its past, present or future employees.

Some non-bargaining unit employees of the Town of East Longmeadow are at-will employees; therefore, either the employee or the Town may terminate the employment, with or without notice, at any time with or without any reason or cause.

Unionized employees are governed by the respective collective bargaining agreements.

Any questions arising from the contents and use of this handbook should first be addressed to the Human Resources Director.

This handbook supersedes all previously published staff employment handbooks.

EMPLOYMENT PRACTICES

A. WORKPLACE ENVIRONMENT

Equal Employment Opportunity

The Town of East Longmeadow is committed to equal employment opportunities for all persons without regard to race, color, religion, age, gender, sex, national and ethnic origin, disability, pregnancy and pregnancy related conditions, sexual orientation, gender identity or expression, military or veteran status, or genetic information. This policy applies to all actions related, but not limited to, recruitment, application processing employment procedures, job classification, rank, transfer, promotion, termination, training, performance evaluation, compensation, or grievance procedures. The Town of East Longmeadow is also committed to providing a work environment free from all forms of sexual harassment.

Americans with Disabilities Act

The Americans with Disabilities Act of 1990, (ADA) as amended, is a federal law that prohibits discrimination in employment on the basis of disability. To be protected by the ADA, a job applicant or an employee must have a documented disability. The ADA states that any person who has a physical or mental impairment that substantially limits one or more major life activities, any person who has a history or record of such impairment, or a person who is perceived by others as having such impairment, is considered to be a person with a disability.

Qualified applicants and employees with disabilities are protected from discrimination on the basis of disability in the areas of hiring, promotion, discharge, pay, job training, fringe benefits, classification, referral, and other aspects of employment on the basis of disability. The Town of East Longmeadow will attempt to make reasonable accommodations that do not create an undue hardship or burden on the Town with respect to the known physical or mental limitations of otherwise qualified individuals with disabilities.

The Human Resources Director will work closely with supervisors and persons who have documented disabilities, or assert to have such disabilities, so that they may adequately fulfill their job-related duties and responsibilities.

Recruitment and Selection

The Human Resources Director regularly consults with the various departments of the Town about available positions, ensuring recruitment and screening procedures comply with equal employment opportunity and hiring policies.

Respect within the Community

Respect for the rights, dignity, and integrity of others is essential for the well-being of a community. Actions by any individual that do not reflect such respect for others are damaging to each member of the community, and hence, damaging to the Town of East Longmeadow. Each member of the work community shall be free from interference, intimidation, harassment, or disparagement in the workplace.

Employee Code of Conduct

The Town of East Longmeadow is a diverse community dedicated to the service of its residents and employees. Individuals employed by the Town have the responsibility to treat each other with dignity and respect, and to help one another while working within their respective areas. All employees are expected to exercise a high degree of integrity and sound judgment, and to behave ethically in accordance with generally accepted sound business practices and within the mission of the Town of East Longmeadow. Each employee shall respect and adhere to the Town's behavioral expectations and abide by all Town rules, regulations, policies, procedures, guidelines and instructions of the Town and supervisory personnel.

The following examples of unacceptable conduct, although not all-inclusive, are meant to state what the Town of East Longmeadow clearly believes is inappropriate behavior by its employees.

- Failure to support and uphold the mission of the Town of East Longmeadow
- Unwillingness or inability to work in harmony with others, discourteous conduct, or insubordination
- Dishonesty, theft, or wrongful use or possession of Town property, merchandise, funds, or the property of others
- Unauthorized possession, or use, or being under the influence of alcoholic beverages on Town premises or while engaged in Town business
- Possessing, processing, dispensing, selling, using, or being under the influence of a controlled substance or illegal drug, or drug paraphernalia (except in accordance with physician instruction) on Town premises or while engaged in Town business.
- Disregard for safety and security of self or others while on Town property or while engaged in Town business
- Use of profane or obscene language, fighting, intimidating, threatening or harassing fellow employees, supervisory personnel, or visitors
- Possession or use, or threat of use, of a weapon, firearm, or explosive on Town property
- Misrepresentation, falsification, or alteration of any official Town documents or forms including, but not limited to, worktime recording, employment applications, or personal employment-related information
- Deliberate or reckless destruction of Town property or equipment
- Conviction or entry of a plea of guilty or no contest to a felony or a misdemeanor in state or federal court which carries a jail term of not less than one year, or renders the employee unable to perform the duties or responsibilities specific to a position in the Town of East Longmeadow

- Violations of official Town policy and/or procedure. Town policies would include those pertaining to smoking, computer use, confidentiality, and other work-related processes

The above are examples that could result in immediate, involuntary termination. An employee discharged for cause is not eligible for rehire. The Town of East Longmeadow reserves the right to discipline employees on a case by case basis and to terminate employment in accordance with respective bargaining agreements.

Code of Ethics

The Town of East Longmeadow maintains a Code of Ethics Policy to guide its employees with respect to standards of conduct expected in areas where improper activities could damage the Town's reputation and otherwise result in serious adverse consequences to the Town and to employees involved. The purpose of this statement is to affirm required standards of conduct and practices with respect to certain type of payments and political contributions.

All employees must avoid any action, which might result in or create the impression of using public office for private gain, giving preferential treatment to any person, or losing complete impartiality in conducting Town business.

Supervisors, department heads, elected and/or appointed officials must avoid placing themselves in a position which could interfere with, or create the impression of interfering with, the objective evaluation and direction of their subordinates. No supervisor shall accept gifts from subordinates, vendors, agencies, or other outside organizations other than those of nominal value of less than \$50.00 (fifty dollars) for special occasions. No supervisor or department head shall borrow money or accept favors from any subordinate.

Political Activities

Employees are entitled to exercise their rights as citizens, to express their opinions and to cast their votes. Town of East Longmeadow employees, while at work, may not, however:

- Use their official authority or influence for the purposes of interfering with or affecting the result of an election
- Directly or indirectly coerce, command or advise a state or local official or employee to pay, lend, or contribute anything of value to a party
- Use Town resources, equipment, facilities or money for any election or campaign purposes

The specific conduct described above does not include all of the reasons for disciplinary action. The descriptions listed above are intended as instances of the type of conduct which must be avoided for the good of our employees and Town.

B. WORKPLACE POLICIES

Harassment

The Town of East Longmeadow does not condone harassment of any kind, against any group or individual, because of race, color, religion, age, gender, sex, national and ethnic origin, disability, sexual orientation, gender identity, veteran status, or genetic information. Such harassment is clearly in conflict with the mission and interests of the Town and in many cases, with provisions of the law.

Furthermore, the Town of East Longmeadow will not condone any behavior that promotes an intimidating, offensive, or hostile work environment for any of its employees. Forbidden behavior includes use of slurs or other derogatory comments, text messages, web pages, objects, pictures, including electronic images, cartoons, or demeaning gestures connected to one's membership in a protected group as identified above.

Any behavior that is considered harassment is a serious offense and may result in severe disciplinary action up to and including termination of employment against both the offender and any department supervisor that fails to take appropriate action to stop such activity when made aware of the situation.

Sexual Harassment

The Town of East Longmeadow continually seeks to maintain an environment in which the dignity and value of all employees is respected. Discriminatory harassment of and by, employees, supervisors, appointed or elected officials is unacceptable conduct and is prohibited by federal and state law and the Town policy. The Town does not tolerate such misconduct, including any associated retaliatory behavior, or retaliation against individuals for cooperating with an investigation of a sexual harassment complaint.

Because the Town of East Longmeadow takes allegations of sexual harassment seriously, we will respond promptly to complaints of sexual harassment and where it is determined that such inappropriate conduct has occurred, we will act promptly to eliminate the conduct and impose such corrective action as is necessary, including disciplinary action where appropriate.

Definition of Sexual Harassment

Sexual harassment is defined as unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature when:

- Submission to or rejection of such advances, requests or conduct is made either explicitly or implicitly a term or condition of employment or as a basis for employment decisions; or,

- Such advances, requests or conduct have the purpose or effect of unreasonably interfering with an individual's work performance by creating an intimidating, hostile, humiliating or sexually offensive work environment

Under these definitions, direct or implied requests by a supervisor for sexual favors in exchange for actual or promised position benefits such as favorable reviews, wage increases, promotions, increased benefits, or continued employment constitutes sexual harassment.

The legal definition of sexual harassment is broad and in addition to the above examples, other sexually oriented conduct, whether it is intended or not, that is unwelcome and has the effect of creating a work place environment that is hostile, offensive, intimidating, or humiliating to male or female employees may also constitute sexual harassment.

While it is not possible to list all those additional circumstances that may constitute sexual harassment, the following are some examples of conduct, which, if unwelcome, may constitute sexual harassment depending upon the totality of the circumstances including the severity of the conduct and its pervasiveness.

- Unwelcome sexual advances, whether they involve physical touching or not
- Sexual epithets, jokes, written or oral references to sexual conduct, gossip regarding one's sex life, comment on an individual's body, comment about an individual's sexual activity, deficiencies or prowess
- Displaying sexually suggestive objects, text messages, webpages, pictures, cartoons
- Unwelcome leering, whistling, brushing against the body, sexual gestures, suggestive or insulting comments
- Inquiries into one's sexual experiences
- Discussion of one's sexual activities

If any of our employees believes that he or she has been subjected to sexual harassment, the employee has the right to file a complaint with the Town. This may be done in writing or orally.

If you would like to file a complaint you may do so by contacting the Human Resources Director, 60 Center Square, East Longmeadow, MA 01028. 413-525-5400, ext. 1125. You may also contact your immediate supervisor to discuss any concerns you may have as an alternative to the Human Resources Director.

Harassment and Sexual Harassment Investigation

When we receive a complaint of harassment or sexual harassment, we will promptly investigate the allegation in a fair and timely manner. The investigation will be conducted in such a way as to maintain confidentiality to the extent practicable under the circumstances. The investigation will include a private interview with the person filing the complaint and potential witnesses. An interview will also be conducted with the person alleged to have committed sexual harassment. When the investigation is complete, and to the extent appropriate, the person filing the complaint and the person alleged to have committed the conduct will be informed of the results of the

Violence in the Workplace

All employees of the Town of East Longmeadow community share the responsibility to maintain a climate of behavior which fosters a peaceful and cooperative workplace environment. Acts of violence and aggression will not be tolerated including verbal and physical actions that are intended to create fear or apprehension of bodily harm or threaten the safety of others in the workplace. This could include actions by any member of the Town community as well as incidents in personal lives that could affect the workplace. Any acts of violence should be promptly reported to one's supervisor or to the Office of the Human Resources Director. Incidents of violence in the workplace are considered to be serious misconduct and will not be tolerated.

Drug-Free Workplace Policy

Under the Drug-Free Workplace Act of 1988, the Town of East Longmeadow is required and committed to maintaining a drug-free environment for its employees. This environment is guaranteed to be free from the unlawful manufacture, distribution, dispensing, possession, transfer, purchase, sale, or use of controlled substances on Town property or during the course of Town business.

Drug and alcohol use is highly detrimental to the safety and productivity of employees in the workplace. No employee may be under the influence of any illicit drug or alcohol while in the workplace, while on duty or while operating a vehicle or equipment owned or leased by the Town. Failure to adhere to this policy may result in disciplinary action, including suspension without pay or termination of employment. When appropriate, the employee may be referred to approved counseling or rehabilitation programs.

Should an employee be convicted of a drug-related crime that occurred in the workplace, they must notify the Town's Human Resources Director or Town Manager within five days of conviction. The Town is required to notify the appropriate government agency within five days of the conviction. Appropriate personnel action, including possible discipline and/or participation in a drug abuse assistance or rehabilitation program, may result after notice of the conviction is received. Employees may use physician prescribed medications, provided that the use of such drugs does not adversely affect job performance or the safety of the employee or other individuals in the workplace.

Smoke-Free Environment

The Town of East Longmeadow and departments are smoke-free. Smoking is prohibited inside all Town owned or operated buildings. Non-smokers have a right to breathe clean air and the Town has the responsibility to provide a safe work place and to protect the health of non-smokers. Smoking is permitted outside in established, designated smoking areas. Guests and visitors are also subject to this policy and must comply when visiting Town property.

Information Technology Policy

The information technology resources of the Town are maintained and owned by the Town of East Longmeadow. The use of this technology is a privilege, not a right. Recognizing the benefits to the employees of the Town, the Town provides telephones, voicemail, computers, internet access, email, software, services, and other technological resources. All hardware, software and content are owned by the Town and Town files must be saved on the Town servers in addition to desktops or internal office equipment. The preferred method of communication on all Town business is email.

Access to the internet is provided to the employees for business purposes only. The Town reserves the right to monitor and review internet use by employees, including, but not limited to, sites visited, duration of internet use, files that have been viewed, accessed or downloaded. Information accessed on the Town's voicemail, email and computer systems may be retrieved. Employees should not use the Town's email and other systems for personal, non-business related communication. Personal or any other non-approved software shall not be loaded, stored or used on the Town's computer systems.

Voicemail or email messages shall not contain content that may reasonably be considered offensive or disruptive to any employee. Offensive content includes, but is not limited to, sexual comments or images, racial slurs or other comments that may offend someone on the basis of age, gender, race, sexual orientation, religious beliefs, national and ethnic origin, disability, gender identity, veteran status or genetic information. Inappropriate or unauthorized use of the Town's voicemail, email, computers or software may subject employees to disciplinary action, up to and including termination of employment.

Following are several examples of inappropriate computer usage that may result in disciplinary action.

- Placing unapproved or illegal information on the Town's system
- Using abusive or otherwise objectionable language in either public or private messages
- Causing the loss of another employee's work
- Using the computer to insult, demean, intimidate, annoy, or harass another employee
- Sending a message that would represent an embarrassment to the Town by virtue of sender's address or other means of identification, which would be harmful to the Town's interests
- Using the computer to provide services to others for profit distribution of copyrighted material, accessing and distributing illicit unacceptable material
- Breaching the confidentiality or privacy of the Town's residents, clients or other staff members
- Unauthorized downloading, copying or transmission of software files, or materials found on the Internet

Social Media Policy

This policy provides guidance for employee use of social media, which should be broadly understood for purposes of this policy to include blogs, wikis, microblogs, message boards, chat rooms, electronic newsletters, online forums, social networking sites, photo and video sharing and other sites and services that permit users to share information with others in a contemporaneous manner.

The following principles apply to personal use of social media when referencing the Town of East Longmeadow.

Employees shall adhere to the Town of East Longmeadow's Code of Conduct, Employee Handbook and other Town policies when using social media in reference to East Longmeadow. Employees should be aware of the effect their actions may have on their images, as well as the Town of East Longmeadow's image. The information that employees post or publish may be public information for a long time.

Employees should be aware that the Town of East Longmeadow may observe content and information made available by employees through social media. Employees should use their best judgment in posting material to ensure that the material is neither inappropriate nor harmful to the Town of East Longmeadow, its employees or its residents.

Although not an exclusive list, some specific examples of prohibited social media conduct include posting commentary, content or images that are defamatory, pornographic, proprietary, unlawfully harassing, libelous or that can create a hostile work environment, or otherwise illegal.

Employees are not to publish, post or release any information that is considered confidential or proprietary or not public. Such information includes, but is not limited to, vendor lists, financial information or business plans.

This policy also includes personal information about its employees that is protected from unlawful disclosure by law, such as personal health information, personal data, such as driver's license information, social security information and financial account information. If there are questions about what is considered confidential and proprietary, employees should check with the Human Resources Director.

Social media networks, blogs and other types of online content sometimes generate press and media attention or legal questions. Employees should refer these inquiries directly to the Town Manager.

Employees who encounter a situation while using social media that threatens to become antagonistic, employees should disengage from the dialogue in a polite manner and seek the advice of a supervisor.

Employees should get appropriate permission before referring to or posting images of current or former employees, Town vendors or suppliers.

Social media use should not interfere with employees' responsibilities at the Town of East Longmeadow. Computer systems are to be used for business purposes only.

Employees cannot use employer-owned equipment, including computers, Town licensed software, other electronic equipment, nor facilities or Town time to conduct personal social networking or blogging activities.

Subject to applicable law, after hours online activity that violates the Town of East Longmeadow's Code of Conduct or any other Town policy may subject an employee to disciplinary action up to and including termination of employment.

Should employees publish content after hours that involves work or subjects associated with the Town of East Longmeadow, a disclaimer should be used such as the following: "The postings on this site are my own and do not necessarily represent the Town of East Longmeadow's positions, strategies or opinions."

Nothing in this policy should be construed to prohibit or limit employees' rights to engage in protected concerted activity as prescribed by the NLRA, or any other right protected under federal and state law.

C. EMPLOYMENT INFORMATION

Hours of Work

The standard workweek for most administrative and staff employees consists of seven and one half hour (7.5) hours per day, 8:00 am to 4:00 pm, Monday through Friday, five (5) days per week or 37.5 hours. Some work schedules include weekdays, evenings, and weekends, either on a regular, seasonal, or alternating basis. Your work schedule will be determined by your supervisor based on your position description and requirements of the department.

Employee Classifications

- Regular Full-Time employees customarily work 37.5 or more hours a week
- Regular Part-Time employees customarily work 20 hours a week
- Casual employee is an employee who works less than 20 hours a week
- Temporary and/or Seasonal employees customarily work full or part time with the understanding that their employment will be terminated upon completion of a specific assignment
- New employees are considered to be on probationary status for the first three (3) months of employment, unless their collective bargaining agreement indicates otherwise. Probationary employees are not allowed use of vacation, personal or sick time off with pay. Probationary employees are paid for official Town of East Longmeadow holidays which occur during the probationary period

Regular Full-Time Employment

An employee is considered to have regular full-time employment if the individual holds a position which is part of the regular budgeted staff within the department and at the time of hire, there is no specific ending date to the employee's duration in that position. Staff occupying regular budgeted positions may be entitled to benefits. This definition is not intended to be a commitment of continuous employment.

Regular Part-Time Employment

An employee is considered to have regular part-time employment if the individual holds a regular part-time budgeted position for not less than 20 hours and not more than 30 hours per week and at the time of hire, there is no specific ending date to the employee's duration in that position. Staff occupying regular part-time budgeted positions may be entitled to benefits. This definition is not intended to be a commitment of continuous employment.

Temporary and Seasonal Employment

An employee is considered to have temporary or seasonal employment if the individual occupies a regular position but has been hired only for a defined period of time. Temporary or seasonal positions are defined as those which, at the time they are established, are not expected to be part of the regular budgeted staff of the department. Any position which is not expected to exceed one year in duration is generally considered to be a temporary position. Temporary and seasonal employees of the Town of East Longmeadow are not entitled to benefits.

Job Posting and Career Opportunities

The Town encourages and supports the professional advancement of employees through internal promotion and transfer opportunities. Employees who are interested in a posted position must have been in their current position for a minimum of six (6) months. To apply for a posted position, employees are requested to notify their current supervisor of their intent to apply and subsequently submit a letter of interest and relevant resume to the Human Resources Director for consideration. Position openings will be posted internally in accordance with terms of any collective bargaining agreement currently in effect prior to public advertising. Depending on unforeseen circumstances, a job posting may be posted both internally and externally simultaneously.

Fair Labor Standards Act

The Fair Labor Standards Act (FLSA) is a federal law that regulates how employers determine if a position is eligible for overtime earnings or ineligible for overtime earnings.

Exempt Staff

These employees are determined to be exempt, not eligible for overtime, under the provisions of the Fair Labor Standards Act. Employees in this classification are paid a salary and are not eligible for payment of overtime.

Non-Exempt Staff

These employees are determined to be non-exempt, eligible for overtime, under the provisions of the Fair Labor Standards Act. They are required to complete weekly time reporting documents. Employees in this classification are eligible for overtime pay at straight time between 30 and 40 hours and at time and one-half for hours actually worked in excess of 40 hours during the defined workweek. All hours worked in excess of the employee's weekly budgeted hours requires advanced, written prior approval by the supervisor. Email notification will be considered sufficient.

Criminal Background Check

All offers of employment are contingent on the successful completion of a criminal background check. This background check will be managed by the Town's designated representatives.

Employee Orientation

It is the Town's policy to acquaint new employees with their duties and to make them feel welcome as a valued member of the community as quickly as possible. The Human Resources Department provides a review of the mission statement, wage and benefit details to new employees. Commencement of computer use, email and benefit coverage occurs once all appropriate paperwork is completed. It is the responsibility of the immediate supervisor and department head to acquaint each employee with departmental policies and procedures and to train new employees as necessary.

Seniority and Service Dates

A regular full-time and part-time employee's seniority date is based on the length of continuous service with the Town since the most recent date of hire. A regular employee's service date is based on total length of regular service with the Town and may be adjusted to reflect interruptions of service. Employees who enter military service and have reemployment rights within applicable federal law maintain their seniority and service dates. Temporary and seasonal employees do not have service or seniority dates.

Attendance and Timeliness

Good attendance is a prime indication of your interest and concern in your position. Consistent, reliable and predictable attendance is therefore a key element of satisfactory job performance. Employees who are unable to report for work, or who will be delayed in getting to work, are responsible for notifying their immediate supervisor well in advance of the regularly scheduled starting time by phone or text. In an emergency situation, as soon as is practical.

Except in severe emergency situations, a case of continued, unreported and undocumented employee absence for three or more consecutive work days is considered a voluntary resignation of employment.

Lunch Periods

The Town of East Longmeadow provides a daily, unpaid lunch period scheduled by the supervisor and determined by the needs of that office or department. Lunch periods are staggered to provide continuous coverage in offices that need to remain open throughout the day. Lunch periods are one half hour depending on normal scheduled workweek hours.

Rest or Break Periods

It is general practice for the Town to allow two 15-minute rest or break periods usually mid-morning and mid-afternoon in the course of a work day, if work permits. Rest periods are paid time and are scheduled by the supervisor in accordance with the needs of each department or office. Time allowed for rest and break periods is neither cumulative nor compensatory.

Personnel Records

The Town protects the privacy of its employees by restricting personnel data to those needed for business, legal or contractual purposes by limiting internal access to personnel data to those with a need to know, and by releasing information from the personnel files externally only with the employee's consent or to meet legal or contractual requirements. An employee may have access to, and include comments on, information in their personnel file folder. If any employee wishes to see their personnel file, an employee must submit a written request to the Human Resources Director and the employee will be provided access within five (5) business days of the written request.

Employees may generally make additions to their own files and may request that any information they believe to be erroneous is corrected. If the Town does not agree with an employee's requested correction, the employee may submit a written statement explaining their position on the matter. This written statement will be included in the personnel file folder. Should information be placed in a personnel file by the Town which negatively affects an employee, the employee will be notified within ten (10) business days of the inclusion of the information. For purposes of payroll, benefit deductions, mailings and emergency contacts, all changes in name, address, telephone, dependents, marital status, beneficiary information, citizenship and residency status, military status, should be reported to the Human Resources Director as soon as possible through the personnel action form system.

References

Only the Town Manager or Human Resource offices are authorized to officially respond on behalf of the Town to reference requests. On occasion, current Town employees may be contacted directly and asked to provide employment reference information concerning a former or current employee. If an employee is asked to provide a reference, the request should be referred to the Town Manager.

Voluntary Terminations

An employee who voluntarily resigns from their position is expected to provide a written, two week notice to the Town. A written resignation must be submitted to the supervisor, with a copy sent to the Human Resources Director and the Town Manager. The employee is requested to state the reason for the resignation. The Human Resources Director will contact the employee who resigns to schedule an exit interview to discuss the transition from Town employment.

Involuntary Terminations

The Town makes every effort to minimize the impact of workforce reductions on its employees by giving prompt notice, by reassigning to other duties where practical and by providing severance payments where reduction-in-staff is necessary.

There are several types of involuntary termination.

- Discharge – due to either substandard job performance, or violation of Town rules and regulations. This discharge is usually without prior notice
- Layoff/furlough – due to temporary lack of work
- Reduction in Staff – due to job elimination
- Performance – due to non-performance of a job after prior review has been provided. Discharge for non-performance without notice can occur during the probationary period, or in the case of serious violation of Town policies and procedures

Rehire

A regular full-time or part-time employee who voluntarily terminates employment with the Town of East Longmeadow while in good standing may be rehired at the discretion of the appointing authority.

Return of Town of East Longmeadow Property

When an employee transitions from the employ of the Town of East Longmeadow for any reason, they must return all Town property in their possession such as Town identification, office and desk keys, books, manuals, computers, mobile devices, credit cards, electronics, automobiles and trucks. The Human Resources Director will assist the employee in making sure all property is returned.

D. PAY POLICIES

Pay Periods and Compensation

The Town of East Longmeadow bi weekly pay period begins on Sunday and ends on Saturday. Employees are paid bi-weekly, on Wednesday.

Payroll Deductions

The following are required federal and state payroll deductions:

- Federal Withholding Tax – This deduction is computed from Internal Revenue Service tax tables, based on marital status and the number of exemptions claimed on Form W-4. If an employee wishes to change the number of exemptions, Form W-4 is available from the Human Resources Department.
- Medicare Tax – This deduction is computed at the rate of 2.9% of all covered earnings and is split by both the employee and the Town of East Longmeadow.
- Massachusetts State Tax – This deduction is computed from state tax tables using information from the employee's W-4 form.
- State taxes other than Massachusetts – If you live in a state other than Massachusetts, you may request to have additional Massachusetts taxes deducted to offset the taxes in your state of residence.

Direct Deposit Banking

Employees have paychecks automatically deposited in a bank of their choice. The check can be deposited into six or more accounts and may be split between a checking and savings account.

Overtime for Hourly Employees

It is sometimes necessary for the Town to require an hourly employee to work in excess of 37.5 hours per week. Under federal guidelines, when this happens, time and one-half the regular hourly rate is paid to hourly employees for actual hours worked over 40 in a workweek. Time and one-half is also paid for overtime hours worked on a Sunday, holiday, or non-scheduled workday if not part of the regularly scheduled workweek. All overtime hours must be approved by the supervisor prior to being worked.

Each supervisor is responsible for assessing the need for overtime. If possible, the supervisor will attempt to accommodate employees who, for personal reasons, have difficulty complying with an overtime request. Accommodation is subject to the minimum operating requirements of the department.

Employees covered by a collective bargaining agreement are governed by the terms of the agreement.

SALARY ADMINISTRATION PROGRAM

Compensation and Classification

The compensation and classification plan for the Town of East Longmeadow is designed to achieve the following objectives:

- Provide for the continued retention and attraction of competent, quality employees
- Compensate based on the contributions, content and complexity of the work
- Recognize and reward exceptional contributions
- Provide salaries that are commensurate with the defined market
- Ensure equitable salary administration throughout the Town departments
- Provide guidelines for salary recommendations
- Establish a salary grade schedule tailored to the needs and organization of the Town
- Make transparent to the internal community all policies, procedures, and guidelines related to the compensation program
- Assist in compliance with federal regulations and affirmative action goals

Position Classification

Every staff position has a description which communicates information about the duties, responsibilities, and minimum qualifications for the position upon being hired. Each employee is given a copy of their position description to ensure that they understand the responsibilities involved.

Each administrative and support staff position is assigned a grade utilizing a point factor evaluation method which consistently applies 10 to 12 well-defined factors to many different positions. Factors include, but are not limited to, competencies such as required knowledge, accountability, problem solving, job-related demands, and responsibility. The classification system may be reviewed and changed periodically. Each position receives a grade assignment within a salary grade structure. Grade structures are reviewed frequently using local, regional, and national survey data. Employees covered by a collective bargaining agreement are governed by the terms of the agreement.

Review of Position Descriptions and/or Grade Classification

When an employee or supervisor believes that changes in the responsibilities of a position are significant enough to warrant a review of the position description, they may initiate a position description review to the Human Resources Director.

When a position becomes vacant, the supervisor is expected to review the current description before recruitment begins. In cases of significant changes in job content, a position description review must be completed. If there are minor changes in job content, adjustments to the current position description may be made by the supervisor and returned to the Human Resources Director.

Performance Evaluation Program

A formal annual performance appraisal program helps to promote better communication between an employee and their supervisor, allows employee input, facilitates job performance standards based on established goals and objectives pertinent to the position description and outlines a plan for staff development. A performance review is prepared by the supervisor and communicated to the employee so that the employee understands performance expectations. A performance plan is communicated to a new employee prior to the end of the probationary period.

All employees should receive an annual performance review. Employees are encouraged to complete a self-assessment form prior to the performance review in order to provide feedback to their supervisor concerning job satisfaction, career goals, and position responsibility during the appraisal process.

A review of performance is then initiated by the supervisor using the position description as criteria, as well as previously agreed upon goals and objectives. The supervisor designates one of the following five defined levels of performance to the appraisal:

- Outstanding: Individual consistently reaches the highest possible performance standard
- Exceeds Requirements: Individual continuously performs above and beyond expectations
- Meets Requirements: Individual is fully qualified and fully competent within position held
- Below Requirements: Individual continuously performs below expectations and job status may be affected
- Unsatisfactory: Individual fails to meet responsibilities of the position and job status will be affected

A rating of Outstanding, Exceeds Requirements and Meets Requirements may result in a merit increase based on a combination of the rating and an employee's place in their salary grade range. The increase is added to the employee's current base salary. The amount of the merit increase is determined annually, based on budgetary consideration and approval by the Town Manager and the Human Resources Director.

Transfer

A lateral transfer is a move to another position within the same salary grade. It may be temporary or regular and does not carry a salary adjustment. A new employee may apply for a posted position six (6) months after their date of hire.

Promotion

A promotion occurs when an employee moves to a position with greater or substantially different responsibilities which has a higher grade level and new title.

A salary increase will be affected to at least the minimum of the new grade. The salary adjustment will be made in consideration of the employee's length of service and internal salary equity within the grade.

To help foster employee success in the new position, the supervisor will provide performance feedback after three (3) months of employment in the new position.

E. STAFF BENEFITS

Following is an overview of the Town of East Longmeadow's benefits program components. Please contact the Human Resources Department for details of all staff benefits or specific questions.

Retirement Income

Massachusetts public employees do not pay (FICA tax) into the Social Security Administration. Instead of Social Security eligible employees contribute to the Massachusetts Public Employee Retirement System, which is a "defined benefit plan" authorized by M.G.L. Chapter 32. Massachusetts established its government pension plan beginning in 1911, long before the establishment of the Social Security Administration in 1935.

Originally, Social Security excluded government employees, but over the years, many state pension plans changed to become supplemental plans to Social Security. However, Massachusetts remains a non-Social Security state, with a government pension plan designed to replace Social Security.

All regular, full-time employees and regular, part-time employees who work more than 20 (twenty) hours per week on a regular basis participate in the state pension plan as of their effective date of hire.

Massachusetts Teachers Board of Retirement Plan

The Massachusetts Teachers' Retirement System is a contributory retirement system governed by the Commonwealth's retirement law, Chapter 32 of the Massachusetts General Laws. The MTRS, which is the largest of the Commonwealth's 104 contributory retirement systems, provides retirement, disability and survivor benefits to Massachusetts teachers, administrators and their families.

The MTRS is a defined benefit retirement plan intended to provide a meaningful retirement benefit to the employee who has chosen a career in public service. It operates as a qualified plan under section 401(a) of the Internal Revenue Code. Offices are located at One Monarch Place, Suite 510, Springfield, MA 01144-4028 (413) 784-1711.

Hampden County Regional Board of Retirement Plan

The Hampden County Regional Board of Retirement plan is a defined benefit plan designed to provide monthly income at retirement. This is a defined benefit plan. That means that a specific formula, based upon a member's age, retirement service credit, and highest three or five consecutive year's average salary, is used to determine a member's gross retirement allowance. This is a guaranteed lifetime benefit. The Hampden County Regional Board of Retirement is the sole record-keeper for the plan. Their offices are located at 67 Hunt Street, Suite 116, Agawam, MA 01001 (413) 737-1344.

OBRA/SMART Plan

The OBRA Plan is a defined contribution plan permitted in place of Social Security when an employee is not eligible for the public pensions available to other Town employees. Typically, part-time staff working 20 (twenty) or less hours per week, seasonal and short-term employees must enroll for participation to begin on the date of hire. This defined contribution plan is a qualified SMART Plan and is a 457b savings plan that automatically deposits 7.5% of pre-tax earnings into a member's interest bearing OBRA account. These mandatory contributions grow within the income fund. The employee may also make additional voluntary contributions into any of the plan's available investment options.

The employee can roll the money into other retirement savings accounts (401(k)s, 403(b)s, other 457 plans, IRA, etc.) or withdraw the money at the end of any employment term without penalty regardless of age.

457 Deferred Compensation

The 457 Deferred Compensation Retirement Plan allows all town employees to contribute pre-tax dollars into a supplement retirement account with MassMutual Retirement Services.

The employee authorizes payroll deductions to fund this account. Employees can start, change or stop elected payroll deductions at any time throughout the year. Unlike 403(b)s or 401(k)s, there is no age restriction on withdrawing the funds. Funds accumulate in a tax-deferred account until withdrawal. The employee can decide how to invest their money. The maximum amount that can be contributed is \$19,500 (plus an additional \$6,500 if age 50+).

403(b) Plan

The 403(b) Plan is an option for all teachers and school employees in the town. This plan allows for pre-tax dollars via payroll deduction and funds to grow tax deferred until withdrawal in retirement. The maximum amount that can be contributed is \$19,500 (plus an additional \$6,500 if age 50+). The employee can decide how to invest their money and which companies are used.

Note: School employees can contribute to both the 457 and 403(b) plans, if desired.

Contact the Benefits Administrator for more information on the above plans.

Health and Dental Insurance

All regular full-time and part-time employees who routinely work a minimum of twenty (20) hours per week are eligible for health and dental insurance coverage, offered by the Town, for the employee and their eligible dependents (including spouse). The Affordable Care Act (ACA) mandates that employees routinely working a minimum of thirty (30) hours per week and those working an average of one hundred thirty (130) hours per month for a designated "look-back" period are eligible for health insurance. The Town has designated the period from April 1 to

March 31 for the “look-back” and employees determined to be eligible will be offered health insurance coverage during open enrollment for a one-year “stability period”, which is the plan year, July 1 to June 30. Temporary employees hired for a duration of more than four (4) months and routinely work a minimum of thirty (30) hours per week are eligible for health insurance only.

Specific plan details, current rate information and coverage options are available in hardcopy in the Human Resource Department and online at <https://www.eastlongmeadowma.gov/benefits>. The Scantic Valley Regional Health Trust, insurance carriers, the contents of the plans and employee contributions may be subject to change at the sole discretion of the Town. In the event that the terms of benefit plan documents and Summary Plan Descriptions differ from any provision set forth in this handbook, the plan documents and Summary Plan Descriptions shall govern.

All newly eligible employees receive documentation upon hire or change in status. Elections must be made within 30 days from the date of hire or change in status. Coverage will be effective the first of the month after the thirty (30) day wait period.

An eligible employee who elects to waive participation in the health and/or dental insurance coverage must submit a signed Request to Decline Coverage form. Failure to elect coverage within the initial thirty (30) day period will be considered a Request to Decline Coverage.

An employee can only make changes in plan participation during the annual Open Enrollment period, occurring late April through early May. Coverage changes are effective July 1. However, plan participation can change at any time when a result of a qualifying event, such as marriage, childbirth or adoption, death, divorce, or involuntary loss of coverage. The employee must notify the Benefits Administrator and provide supporting documentation within 30 days of a qualifying event occurring outside the Open Enrollment period.

The Town contributes 50% of the premium for the Preferred Provider Organization (PPO) Indemnity Plan and 70% of the premium for the other health insurance plans offered to active employees. The employee contributes the remaining health insurance premium amount. The Town does not contribute towards the premium for dental coverage. Payroll deductions withhold the employee’s contribution from the employee’s bi-weekly paycheck twice a month.

Health insurance for active eligible employees over age 65 and their spouses remains the same as prior to age 65. If covered by one of the Town’s group health plans and an employee and/or any of the employee’s covered dependents are eligible for premium free Medicare Part A, then everyone who is eligible should enroll in Medicare Part A and waive the Medicare Part B coverage. A Special Enrollment Period for enrollment in Medicare Part B will be available when employment ends or the employee retires.

In certain instances, federal law requires availability of continued coverage where coverage under the group health plans would otherwise end. In compliance with the federal COBRA guidelines, the Town offers employees and their families the opportunity for a temporary extension of health coverage at group rates with the employee paying the full cost of coverage

plus a 2% administrative fee. For further information about continuation of coverage, please refer to the section entitled “Continuation Coverage Rights under COBRA”.

For the benefit of our employees, the Town has instituted a Section 125 Premium Only Plan (POP). Enrollment in this plan is automatic, unless the employee chooses to opt out of the plan. This plan allows employees who contribute toward the cost of their health and dental insurance to pay on a pre-tax basis. Participants in the plan are able to reduce their actual out-of-pocket costs; your savings will vary depending on your particular tax bracket. You must maintain your elections for the full year. There are, however, certain changes in family circumstances that the IRS will consider as valid reasons to make mid-year changes.

Retiree Health and Dental Insurance

Employees who qualify for retirement from the Town of East Longmeadow are eligible to participate in health and dental insurance benefits as long as they are receiving a monthly pension from Hampden County Regional Retirement Board or Massachusetts Teachers Retirement System as a retiree of the Town of East Longmeadow. Retirees are entitled to enroll in a group health insurance plan in accordance with the current eligibility requirements. Enrollment may occur in conjunction with the annual Open Enrollment period or a qualifying life event change.

The Town contributes 50% of the premium of all Medicare wrap, supplement, or replacement plans. If a retiree and/or their dependents are not yet eligible for premium free Medicare part A, the Town contributes 50% of the premium for the Preferred Provider Organization (PPO) Indemnity Plan and 70% of the premium for the other health insurance plans offered to early retirees.

Further information and specific plan details may be obtained from the Benefits Administrator.

Group Life and Accidental Death & Dismemberment Insurance

All regular full-time and part-time employees who work a minimum of 20 (twenty) hours or more each week on a regular basis are eligible for the group life and AD&D insurance benefit offered by the Town through Boston Mutual Life Insurance Company.

Eligible employees may enroll in this plan following a thirty (30) day waiting period with benefits beginning on the first of the month following the waiting period.

The insurance coverage is equal to \$5,000 with an additional \$5,000 Accidental Death & Dismemberment coverage. The Town contributes 50% of the premium and the employee contributes the remaining 50% through biweekly payroll deductions twice a month.

Upon retirement, the coverage reduces to \$1,000 and the Accidental Death and Dismemberment portion terminates.

A covered employee leaving the Town prior to age 60 (sixty) is able to port the policy with evidence of insurability. An employee leaving the Town at any age may convert this insurance to a private plan without evidence of insurability and continue it at their own expense. Life insurance portability and conversion forms are available through the Benefits Administrator.

Further information and specific plan details are available from the Benefits Administrator.

Additional Voluntary Benefits

The following programs are additional voluntary benefits in which our employees can enroll and pay the premiums via payroll deductions. However, the Town does not contribute to these policies and does not endorse any one of these programs. Employees are encouraged to compare insurance plans offered by other companies to ensure they get the best coverage for their individual needs at the most competitive price. For more information please contact the vendors directly as these programs are administered by them.

- Massachusetts Teachers Association <https://www.mtabenefits.com/benefits> - (877) 401-4083 or mta@vistafg.com
- Colonial Insurance – whole life, accident, critical illness and disability insurance Scott Curtis at (978)-456-7717x86 or scott.curtis@coloniallifesales.com
- Aflac – accident, critical illness and disability insurance Bill Farrell at (860) 559-6444 or william_farrell@us.aflac.com
- Boston Mutual Life Insurance - whole life insurance Jesse White - (781) 910-1438 or jwhitemembershipbenefits@gmail.com
- Metlife - vision/glasses and/or contact lenses James McLaughlin at (413) 322-1182, (413) 207-1362 or jmclaughlin@baystatefinancial.com

Workers' Compensation Insurance and Benefits

In accordance with state law, the Town of East Longmeadow carries Workers' Compensation insurance for each employee on the Town's payroll. It is important that any injury, however slight, incurred by an employee while on the job, be reported immediately to the supervisor and the Human Resources Department.

Compensation payments are made directly to the employee by the insurance company. Absence due to a certified work-related injury is not charged to sick leave with the exception of the first five (5) days. The employee may use available PTO to supplement the payment from the insurance company, not exceed their regular pay.

If an employee is absent due to Workers' Compensation, the following applies:

- Vacation and sick time continue to accrue
- Benefits are maintained by the Town
- Workers' Compensation is applied concurrent with the provisions of the Family Leave Act

Information relating to the Town's current Workers' Compensation carrier is posted on the Town Hall bulletin board and on the various Town building bulletin boards.

Injured on Duty (*Injuries to Police Officers and Firefighters*)

Injuries incurred by Police Officers and Firefighters in the performance of their duties are governed by M.G.L. c. 41, ss. 100 and 111F, rather than the Workers' Compensation laws. All injuries and illnesses, regardless of how minor that occur on the job or in the performance of one's duties, shall be reported to the employee's supervisor or in his/her absence to the Human Resources Department immediately after the occurrence or as soon as possible after the occurrence of the injury if immediate reporting is not feasible.

The Police Chief or Fire Chief is responsible for making the determination that an injury to a Police Officer or Firefighter occurred in performance of his or her duties. Medical treatment and prescription expenses resulting from the injury shall only be eligible for reimbursement by the Town if the Chief has made a determination that the injury occurred in the performance of their duties and such injury is covered under Section 111F. A delay in the determination made by the Chief for any reason may result in payment of the medical expenses retroactively to the date of the injury. Only medical expenses actually incurred by an employee as the result of an injury covered under Section 111F will be eligible for reimbursement in accordance with Section 100. Eligible employees will receive pay in accordance with Sections 100 and 111F and any applicable collective bargaining agreement.

Unemployment Compensation

Unemployment insurance is a temporary income protection program for workers who have lost their jobs through no fault of their own. Unemployment insurance provides temporary cash benefits and other services to unemployed workers who are able to work, available for work, and actively seeking work. The funding for unemployment insurance benefits comes from employer contributions. Employees do not pay any part of the cost of unemployment benefits.

The Massachusetts Department of Unemployment Assistance (DUA) administers the program in Massachusetts. As the state agency responsible for administering unemployment insurance benefits in Massachusetts, DUA determines how much employers should contribute to the program, collects employer contributions to the program and processes requests for benefits. Additional information may be obtained by visiting www.mass.gov/dua.

Employee Assistance Program (EAP)

The Employee Assistance Program is a valuable benefit and resource to Town employees and household members. It is private, confidential, and free of charge. The EAP through MIIA and All One Health offers counseling and legal assistance designed to help you grow and succeed both personally and professionally.

Assistance is available in the following areas:

- Counseling Sessions – receive 3 confidential in-person counseling sessions
 - Manage Anxiety/Depression
 - Adjust to Demands of Work
 - Resolve Relationship Conflict
 - Talk About a Loved One’s Drinking
 - Address Parenting and Family Issues
 - Assess your Level of Stress
 - Become a Better Communicator
- Legal Assistance – one free 30-minute office or telephone consultation per legal matter; does not include job related issues.
 - Divorce
 - Child Custody
 - Car Accidents
 - Real Estate/Landlord/Tenant Issues
 - Insurance Disputes
- Financial Counseling –one free 30-minute telephonic consultation per financial issue
 - Financial Planning
 - Credit Card Debt
 - Tax Advice
 - College Planning
 - Retirement Consultation

Available to employees and household members – 24 hours a day, 7 days a week, simply call 800-451-1834

General Notice of COBRA Continuation Coverage Rights

Introduction.

This notice is being provided to employees who are eligible and have elected one of the Town of East Longmeadow's group health plans (the Plan). This notice has important information about your right to COBRA continuation coverage, which is a temporary extension of coverage under the Plan. **This notice explains COBRA continuation coverage, when it may become available to you and your family, and what you need to do to protect your right to get it.** When you become eligible for COBRA, you may also become eligible for other coverage options that may cost less than COBRA continuation coverage.

The right to COBRA continuation coverage was created by a federal law, the Consolidated Omnibus Budget Reconciliation Act of 1985 (COBRA). COBRA continuation coverage can become available to you and other members of your family when group health coverage would otherwise end. For more information about your rights and obligations under the Plan and under federal law, you should review the Plan's Summary Plan Description or contact the Plan Administrator.

You may have other options available to you when you lose group health coverage. For example, you may be eligible to buy an individual plan through the Health Insurance Marketplace. By enrolling in coverage through the Marketplace, you may qualify for lower costs on your monthly premiums and lower out-of-pocket costs. Additionally, you may qualify for a 30-day special enrollment period for another group health plan for which you are eligible (such as a spouse's plan), even if that plan generally doesn't accept late enrollees.

What is COBRA continuation coverage?

COBRA continuation coverage is a continuation of Plan coverage when it would otherwise end because of a life event. This is also called a "qualifying event." Specific qualifying events are listed later in this notice. After a qualifying event, COBRA continuation coverage must be offered to each person who is a "qualified beneficiary." You, your spouse, and your dependent children could become qualified beneficiaries if coverage under the Plan is lost because of the qualifying event. Under the Plan, qualified beneficiaries who elect COBRA continuation coverage must pay for COBRA continuation coverage.

If you're an employee, you'll become a qualified beneficiary, if you lose your coverage under the Plan because of the following qualifying events:

- Your hours of employment are reduced, or
- Your employment ends for any reason other than your gross misconduct

If you're the spouse of an employee, you'll become a qualified beneficiary if you lose your coverage under the Plan because of the following qualifying events:

- Your spouse dies
- Your spouse's hours of employment are reduced
- Your spouse's employment ends for any reason other than his or her gross misconduct
- Your spouse becomes entitled to Medicare benefits (under Part A, Part B, or both); or
- You become divorced or legally separated from your spouse

Your dependent children will become qualified beneficiaries if they lose coverage under the Plan because of the following qualifying events:

- The parent-employee dies
- The parent-employee's hours of employment are reduced
- The parent-employee's employment ends for any reason other than his or her gross misconduct
- The parent-employee becomes entitled to Medicare benefits (Part A, Part B, or both)
- The parents become divorced or legally separated; or
- The child stops being eligible for coverage under the Plan as a "dependent child."

Sometimes, filing a proceeding in bankruptcy under title 11 of the United States Code can be a qualifying event. If a proceeding in bankruptcy is filed with respect to the Town of East Longmeadow, and that bankruptcy results in the loss of coverage of any retired employee covered under the Plan, the retired employee will become a qualified beneficiary. The retired employee's spouse, surviving spouse, and dependent children will also become qualified beneficiaries if bankruptcy results in the loss of their coverage under the Plan.

When is COBRA continuation coverage available?

The Plan will offer COBRA continuation coverage to qualified beneficiaries only after the Plan Administrator has been notified that a qualifying event has occurred. The employer must notify the Plan Administrator of the following qualifying events:

- The end of employment or reduction of hours of employment
- Death of the employee
- Commencement of a proceeding in bankruptcy with respect to the employer; or
- The employee's becoming entitled to Medicare benefits (under Part A, Part B, or both).

For all other qualifying events (divorce or legal separation of the employee and spouse or a dependent child's losing eligibility for coverage as a dependent child), you must notify the Plan Administrator within 60 days after the qualifying event occurs. You must provide this notice to the Human Resources Director.

How is COBRA continuation coverage provided?

Once the Plan Administrator receives notice that a qualifying event has occurred, COBRA continuation coverage will be offered to each of the qualified beneficiaries. Each qualified beneficiary will have an independent right to elect COBRA continuation coverage. Covered employees may elect COBRA continuation coverage on behalf of their spouses, and parents may elect COBRA continuation coverage on behalf of their children.

COBRA continuation coverage is a temporary continuation of coverage that generally lasts for 18 months due to employment termination or reduction of hours of work. Certain qualifying events, or a second qualifying event during the initial period of coverage, may permit a beneficiary to receive a maximum of 36 months of coverage.

There are also ways in which this 18-month period of COBRA continuation coverage can be extended:

Disability extension of 18-month period of COBRA continuation coverage

If you or anyone in your family covered under the Plan is determined by Social Security to be disabled and you notify the Plan Administrator in a timely fashion, you and your entire family may be entitled to get up to an additional 11 months of COBRA continuation coverage, for a maximum of 29 months. The disability would have to have started at some time before the 60th day of COBRA continuation coverage and must last at least until the end of the 18-month period of COBRA continuation coverage. The Plan Administrator or the Human Resources Director must be notified in writing within 60 days of the event and provided with written copy from Social Security along with pertinent medical documentation to substantiate the disability request.

Second qualifying event extension of 18-month period of continuation coverage

If your family experiences another qualifying event during the 18 months of COBRA continuation coverage, the spouse and dependent children in your family can get up to 18 additional months of COBRA continuation coverage, for a maximum of 36 months, if the Plan is properly notified about the second qualifying event. This extension may be available to the spouse and any dependent children getting COBRA continuation coverage if the employee or former employee dies; becomes entitled to Medicare benefits (under Part A, Part B, or both); gets divorced or legally separated; or if the dependent child stops being eligible under the Plan as a dependent child. This extension is only available if the second qualifying event would have caused the spouse or dependent child to lose coverage under the Plan had the first qualifying event not occurred.

Are there other coverage options besides COBRA Continuation Coverage?

Yes. Instead of enrolling in COBRA continuation coverage, there may be other coverage options for you and your family through the Health Insurance Marketplace, Medicaid, or other group health plan coverage options (such as a spouse's plan) through what is called a "special enrollment period." Some of these options may cost less than COBRA continuation coverage. You can learn more about many of these options at www.HealthCare.gov.

Can I enroll in Medicare instead of COBRA continuation coverage after my group health plan coverage ends?

In general, if you don't enroll in Medicare Part A or B when you are first eligible because you are still employed, after the Medicare initial enrollment period, you have an 8-month special enrollment period¹ to sign up for Medicare Part A or B, beginning on the earlier of

- The month after your employment ends; or
- The month after group health plan coverage based on current employment ends.

If you don't enroll in Medicare and elect COBRA continuation coverage instead, you may have to pay a Part B late enrollment penalty and you may have a gap in coverage if you decide you want Part B later. If you elect COBRA continuation coverage and later enroll in Medicare Part A or B before the COBRA continuation coverage ends, the Plan may terminate your continuation coverage. However, if Medicare Part A or B is effective on or before the date of the COBRA election, COBRA coverage may not be discontinued on account of Medicare entitlement, even if you enroll in the other part of Medicare after the date of the election of COBRA coverage.

If you are enrolled in both COBRA continuation coverage and Medicare, Medicare will generally pay first (primary payer) and COBRA continuation coverage will pay second. Certain plans may pay as if secondary to Medicare, even if you are not enrolled in Medicare.

For more information visit <https://www.medicare.gov/medicare-and-you>.

If you have questions.

Questions concerning your Plan or your COBRA continuation coverage rights should be addressed to the contact identified below. For more information about your rights under the Employee Retirement Income Security Act (ERISA), including COBRA, the Patient Protection and Affordable Care Act, and other laws affecting group health plans, contact the nearest Regional or District Office of the U.S. Department of Labor's Employee Benefits Security Administration (EBSA) in your area or visit www.dol.gov/ebsa. Addresses and phone numbers of Regional and District EBSA Offices are available through EBSA's website. For more information about the Marketplace, visit www.HealthCare.gov.

Keep your Plan informed of address changes.

To protect your family's rights, let the Plan Administrator know about any changes in the addresses of family members. You should also keep a copy, for your records, of any notices you send to the Plan Administrator.

Plan contact information.

¹ <https://www.medicare.gov/sign-up-change-plans/how-do-i-get-parts-a-b/part-a-part-b-sign-up-periods>.

Contact the Human Resources Office at 60 Center Square, East Longmeadow, MA 01028.
Telephone number (413) 525-5400, extension 1126 for further information about the Plan and
COBRA continuation coverage.

F. LEAVE PROVISIONS

Vacation

Employees covered by a collective bargaining agreement are governed by the terms of the agreement.

Vacation time begins to be earned the first of the month following the employment date. No paid vacation time may be taken in the first three (3) months without permission of the immediate supervisor. Vacation time may be used in one (1) hour increments.

Vacation leave may not be carried over into the next year unless approved by the Town Manager. Should a situation exist whereby an employee requests in writing to carry over a maximum of five (5) unused vacation days into the next year, the approved carry-over days must be taken before the end of June. Access to the carry over days begins on January 1 following the date of hire. Vacation time cannot be accumulated or waived for extra pay.

All vacation requests must be approved five (5) business days in advance by the department supervisor. This will assist in the proper planning of vacation to maintain the necessary coverage within each department. The Town of East Longmeadow reserves the right to approve or deny the request for vacation based on operational and staffing requirements. Employees eligible for more than two (2) weeks paid vacation in a fiscal year may take no more than two (2) weeks consecutively.

In the event a Town of East Longmeadow paid holiday occurs within an employee's vacation period, the day of the holiday shall not be charged against the vacation day and the employee shall be paid for the holiday.

During the year in which an employee retires from the Town, remaining accrued vacation time not taken will be paid out to the employee with the final pay.

Upon termination of employment from the Town, an employee will be paid any remaining accrued vacation time not taken with the final pay.

The vacation year shall be the period from January 1 to December 31 inclusive.

Paid Holidays

The Town of East Longmeadow officially observes a number of holidays throughout the year. All regular, full-time employees and regular, part-time employees who work a minimum of 20 hours per week on a regular basis are entitled to holiday pay, including employees in their three (3) month introductory period. Holiday pay is calculated on an employee's straight time hourly rate times the employee's standard workday.

The Town of East Longmeadow recognizes the following days as paid holidays:

New Year's Day	January 1
Martin Luther King Day	Third Monday in January
Presidents Day	Third Monday in February
Patriots Day	Third Monday in April
Friday preceding Easter	Good Friday
Memorial Day	Last Monday in May
Juneteenth	June 19 (Pending Approval by Town Council)
Independence Day	July 4
Labor Day	First Monday in September
Columbus Day	Second Monday in October
Veterans Day	November 11
Thanksgiving Day	Fourth Thursday in November
Day after Thanksgiving	Fourth Friday in November
Day preceding Christmas	Half Day on a Workday
Christmas Day	December 25
Day preceding New Year's Day	Half Day on a Workday

Holiday observance may be changed at the sole discretion of the Town of East Longmeadow. Holidays falling on Sunday will be observed on the following Monday. If the holiday falls on Saturday, the preceding Friday will be observed.

In order to receive pay for any of the above listed holidays, an employee must actually work on their last scheduled working day immediately preceding and their first scheduled working day immediately following the holiday.

Holiday observance may be changed at the sole discretion of the Town of East Longmeadow. Employees covered by a collective bargaining agreement are governed by the terms of the agreement.

Personal Days

All regular, full-time employees and regular, part-time employees who work a minimum of 20 hours per week on a regular basis are granted three (3) paid personal days each fiscal year. Personal time will be proportionate to an employees' work week hours. If the number of hours worked varies (excluding overtime), a personal day is determined by averaging the number of hours worked per pay period in the four weeks immediately preceding the personal time off. New employees within their three (3) month introductory period from date of hire are ineligible for paid personal time off. Following the three (3) month introductory period, a new employee shall be granted three (3) paid personal days for the remainder of the fiscal year.

The Town of East Longmeadow believes in establishing a balance between work and personal life. To that end, in providing personal days it allows an employee to balance their needs;

provides flexibility to employees when scheduling time away from work; and encourages employees to take all of the personal paid time off they are eligible for each year.

Use of personal time off shall be mutually agreed upon by the supervisor and employee. Except in circumstances that prevent advance notice, employees shall request a personal day(s) at least three (3) business days in advance. Personal days may be taken for any reason during the fiscal year. Personal time off may be taken in one (1) hour increments.

Personal days may not be carried over into the following calendar year and no additional pay shall be granted for unused personal days or at time of separation of employment from the Town of East Longmeadow. Employees are required to take their accumulated days prior to being granted new personal days.

Sick Time

Employees covered by a collective bargaining agreement are governed by the terms of the agreement.

All regular, full-time employees and regular, part-time employees who work a minimum of 20 hours per week on a regular basis are entitled to sick days. Sick time is granted on a calendar year basis each January 1 and begins to be earned the first of the month following employment.

Supervisors are responsible for the administration of the sick time policy. Employees who are absent due to illness for three (3) or more consecutive workdays may be required to submit a physician's note of explanation. Additional time may be allowed for good cause shown. Patterns of absence that indicate abuse of the policy may require submission of a medical certification for each absence and may lead to disciplinary action.

If an employee's absence from work due to illness exceeds five (5) consecutive work days, the employee may be asked to apply for a leave of absence under the Family and Medical Leave Act. A doctor's note may be required at any time during an approved absence. To return to work, the employee must obtain a doctor's statement certifying the ability to resume work responsibilities.

Paid sick time is not an accrued benefit payable upon separation of employment and has no cash-in value. Upon retirement, death, or termination of employment, accumulated sick days prior to June 30, 2003 will be paid at 50% of the employees' daily rate of pay in the current fiscal year up to a maximum of fifty (50) days. Employees covered by a collective bargaining agreement are governed by the terms of the agreement.

Sick time is provided to allow employees to:

- Care for the employee's own physical or mental illness, injury, or other medical condition that requires home, preventative, or professional care
- Care for a child, parent, spouse, or parent of a spouse who is suffering from a physical or mental illness, injury, or other medical condition that requires home, preventative or professional care
- Attend routine medical and dental appointments for themselves or for their child, parent, spouse, or parent of a spouse
- Address the psychological, physical, or legal effects of domestic violence
- Travel to and from an appointment, a pharmacy, or other location related to the purpose for which the time was taken

Sick pay will be calculated on an employee's straight time hourly rate times the employee's standard workday. Sick time may be used in increments of one (1) hour. Saturdays, Sundays, daily overtime hours, paid holidays and paid vacation time are excluded as time for which payment will be made under this benefit program. Employees may not use sick time if the employee is not scheduled to be at work during the period of use. Sick time cannot be used as an excuse to be late for work without an authorized purpose.

While the Town of East Longmeadow pays you for authorized sick days, we expect you to be honest with us in taking days off only when you are actually ill. Any abuse of this benefit will be taken into account in evaluations of your performance. The Town reserves the right to require a statement from your doctor.

No sick time shall accumulate for seasonal or temporary employees. All sick leave payments are to be approved by the immediate supervisor.

If an employee needs to be absent, to be late or to leave work early for purposes that are permissible under this sick time benefit, the employee must give advance notice to their supervisor, except in an emergency.

Notice should be provided through a notification system established by the Town of East Longmeadow or immediate supervisor in a manner that the employee customarily uses to communicate with their employer for absences or requesting leave.

If the absence is foreseeable, for example, if the employee will be absent to attend a previously scheduled appointment, the employee must provide up to two (2) days' advance notice, unless the employee learns of the need to use earned sick time within a shorter period of time.

If the absence is not foreseeable, the employee must provide notice to their supervisor at least one (1) hour before the start of the employee's work day. If one (1) hours' notice is not reasonable due to an accident or sudden illness, notice must be provided as soon as practicable.

If an employee is going to be absent on multiple days, the employee or the employee's surrogate (e.g., spouse, adult family member or other responsible party) must provide notice of the expected duration of the leave or, if unknown, provide notice of continuing absence on a daily basis, unless the circumstances make such notice unreasonable.

If an employee fails to timely comply with the sick time benefit provisions documentation requirements, the Town may recoup the sick time paid from future wages.

If any time off covered under this policy is also covered under FMLA, Parental Leave, Domestic Violence Leave, SNLA leave, or other leave of absence policies, sick time shall run concurrently with such leave. Employees may choose, and the Town may also require employees, to use earned sick time to receive pay for absences under other leave policies if those absences would otherwise be unpaid.

Federal Family Medical Leave Act

Employees who have worked for the Town of East Longmeadow for at least twelve (12) months and at least 1,250 hours during the prior twelve (12) months may take up to twelve (12) weeks of unpaid leave (FMLA leave) for the following reasons:

- Birth of a child of the employee
- Placement of a child into the employee's family by adoption or by a foster care arrangement
- Care of the employee's spouse, child or parent who has a serious health condition
- Inability of the employee to perform the functions of the employee's position due to a serious health condition
- A "qualifying exigency" arising from the fact that the employee's spouse, son, daughter or parent is on or has been called to active duty in the Armed Forces during deployment to a foreign country

An eligible employee who is the spouse, son, daughter, parent or next of kin of a member or veteran of the Armed Forces (including the National Guard or Reserves) may take up to twenty-six (26) weeks of unpaid FMLA leave during a single twelve (12) month period to care for a covered service member or veteran who, for a serious injury or illness, is undergoing medical treatment, recuperation or therapy. A member may also be otherwise in outpatient status or otherwise on the temporary disability retired list. The injury or illness must be incurred or aggravated in the line of active duty and have the potential to render the service member unfit to perform the duties of his or her office, grade, rank or rating. A veteran must have been a member of the Armed Forces (including the National Guard or Reserves) at any time during the five years preceding the date of treatment.

Any FMLA leave taken by an employee during the preceding twelve (12) month period will be used to determine the amount of available leave pursuant to the Family and Medical Leave Act. For example if, for an employee's own serious health condition, the employee used four weeks of leave beginning February 1, 2009, four weeks of leave beginning June 1, 2009, and four weeks of leave beginning December 1, 2009, the employee would not be entitled to any

additional leave until February 1, 2010. On February 1, 2010, the employee would be entitled to four weeks of leave and on June 1, the employee would be entitled to an additional four weeks of leave, and so on.

If an employee is eligible for leave to care for a service member or veteran as well as for another FMLA eligible reason, the total combined leave may not exceed twenty-six (26) weeks during that single twelve (12) month period.

The right to family leave for the birth and/or placement of a child into an employee's family may only be taken within the twelve (12) month period after the date of the birth or placement of the child. In the case of unpaid leave for the birth or placement of a child, intermittent leave or working a reduced number of hours is not permitted, unless both the employee and the Town of East Longmeadow agree.

If both spouses are employed by the Town, the combined leave shall not exceed twelve (12) weeks, or twenty-six (26) weeks for leave to care for an injured or ill service member or veteran.

For purposes of this policy, a serious health condition means an illness, injury, impairment or physical or mental condition that involves:

- Any period of incapacity or treatment in connection with or a consequence of in-patient care in a hospital, hospice or residential medical care facility, or
- Any period of incapacity requiring absence from work or other regular daily activities for more than three (3) calendar days that also involves:
 - Continuous treatment by or under the supervision of a healthcare provider
 - Continuous treatment by or under the supervision of a healthcare provider for a chronic long-term health condition that is incurable or so serious that if not treated would result in a period of incapacity of more than three (3) calendar days or prenatal care.

In the case of unpaid leave for serious health conditions, the leave may be taken intermittently or on a reduced hour's basis only if such leave is medically necessary. Where an employee requests intermittent leave or leave on a reduced hours basis due to a family member's or the employee's own serious health condition, the Town of East Longmeadow has the option, in its sole discretion, to require the employee to transfer to a temporary alternative job for which the employee is qualified and that better accommodates the intermittent leave or reduced hours leave than the regular job. The temporary position will have equivalent pay and benefits as the employee's regular job.

Employees are required to use their available vacation time during the twelve (12) week family leave period, or twenty-six (26) week period in the case of service member or veteran family leave, and available sick days will be used when family leave is taken because of serious health conditions.

That portion of the family leave of absence that is vacation time and/or sick days will be with pay according to the Town of East Longmeadow's policies regarding vacation time and sick

days. The employee will be notified immediately in writing that the vacation time and/or sick days will be counted toward the twelve (12) weeks of family leave, or twenty-six (26) weeks of service member or veteran family leave. If written notice is not given to the employee by the date of expiration of the leave, the leave will not be counted towards the employee's available weeks of family leave if counting it would result in harm to the employee.

When the necessity of leave is foreseeable due to the expected birth or placement of a child, the employee must provide the Town at least thirty (30) days' notice of the employee's intention to take leave. If the date of birth or placement of a child requires the employee's leave to begin in less than thirty (30) days from the date of notice to the Town, the employee must provide such notice as soon as practical. Where the necessity for leave is due to a family member's or an employee's own serious health condition and is foreseeable based on planned medical treatment, the employee must:

- Give at least thirty (30) days' notice, or give notice as soon as practical if treatment starts in less than thirty (30) days
- Make a reasonable effort to schedule the treatment so as not to unduly disrupt the operation of the Town, subject to the approval of the healthcare provider

When leave due to a qualifying exigency is foreseeable, due to a family member being on active duty (or due to a notification of an impending call to active duty) during deployment to a foreign country, the employee must give notice as is reasonable and practicable.

When the need for leave is unforeseeable, the employee must give notice as soon as practical and use the usual call-in procedures for reporting an absence.

Any leave request based on a family member's or employee's own serious health condition must be supported by certification from a health care provider. The employee must provide a copy of the certification to the Town in a timely manner. (Fifteen calendar days will be allowed to provide the certification). Certification from the health care provider must contain:

- The date the serious health condition began
- The possible duration of the condition
- The appropriate medical facts regarding the condition
- A statement that the employee is needed to provide the care and an estimate of the amount of time that need will continue, if the leave is based on the care of a spouse, child or parent
- A statement that the employee is unable to perform the functions of his/her job, if the leave is based on the employee's own serious health condition
- The date the treatment is expected to be given and the duration of the treatment, in the case of intermittent leave or leave on a reduced-hours basis for planned medical treatment

Any leave request due to a qualifying exigency must be supported by certification showing that the service member is on (or has been called to) active duty during deployment to a foreign country.

During family leaves of absence, the Town will continue to pay its portion of the health insurance premiums and the employee must continue to pay his/her share of the premium. Failure of the employee to pay his/her share of the health insurance premium may result in loss of coverage. If the employee does not return to work after the expiration of the leave, the employee will be required to reimburse the Town for payments of health insurance premiums during the family leave, unless the employee does not return because of the presence of a serious health condition that prevents the employee from performing his/her job or circumstances beyond the control of the employee.

During leave, the employee shall not accrue employment benefits such as vacation pay, sick pay, pension, etc. Employment benefits accrued by the employee up to the day on which the family leave of absence begins will not be lost.

The Town may require an employee on FMLA leave to report periodically on his/her status and the intention of the employee to return to work, and also may require periodic recertification of the medical condition. An employee taking leave due to the employee's serious health condition is required to obtain certification that the employee is able to resume work prior to the return from any FMLA leave. Employees who return to work from a family leave of absence within or on the business day following the expiration of the twelve (12) weeks are entitled to return to their job or an equivalent position without loss of benefits or pay.

Procedure: Applications for family leave of absence must be submitted in writing and signed by the employee's immediate supervisor. Applications should be submitted at least thirty (30) days before the leave is to commence or as soon as possible if thirty (30) days' notice is not possible. Appropriate forms must be submitted to the Human Resources Office to initiate a family leave and to return the employee to active status.

Each employee seeking FMLA leave will be notified within five (5) business days of their eligibility or ineligibility to take FMLA leave and of their rights and responsibilities. Once the Town has sufficient information to make a determination, the employee will be notified within five (5) business days that leave will or will not be designated and counted as FMLA leave.

Small Necessities Leave Act

All regular, full-time employees and regular, part-time employees who work a minimum of 20 hours per week on a regular basis are entitled to a total of twenty-four (24) hours of leave during any 12-month period, in addition to available leave under the federal Family and Medical Leave Act of 1993 to:

- Participate in school activities directly related to the educational advancement of a son or daughter of the employee, such as parent-teacher conferences or interviewing for a new school
- Accompany the son or daughter of the employee to routine medical or dental appointments, such as check-ups or vaccinations; and
- Accompany an elderly relative of the employee to routine medical or dental appointments or appointments for other professional services related to the elder's care, such as interviewing at nursing or group homes. An "elderly relative" is defined as an individual of at least 60 years of age who is related by blood or marriage to the employee, including a parent

An eligible employee may elect, or the Town may require the employee, to substitute any of the accrued paid vacation leave, personal leave, or sick leave of the employee for any of the leave provided under this Act. Nothing in this section shall require the Town to provide paid sick leave or paid medical leave in any situation in which the Town would not normally provide any such paid leave. Leave under this section may be taken intermittently or on a reduced leave schedule.

If the necessity for leave under this section is foreseeable, the employee shall provide the Town with no less than seven (7) days' notice before the date the leave is to begin. If the necessity for leave is not foreseeable, the employee shall provide such notice as is practicable.

The Town may require that a request for leave under this section be supported by a certification issued at such time.

Massachusetts Pregnant Workers Fairness Act (PWFA)

Effective April 1, 2018, Massachusetts enacted a law that requires Massachusetts employers to provide reasonable accommodation for their employees' pregnancies or pregnancy related conditions upon request, unless it would cause undue hardship. The law also prohibits these employers from discriminating against employees and applicants based on pregnancy or related conditions. Under PWFA, conditions related to pregnancy include, but are not limited to, lactation and the need to express breast milk for a nursing child.

If an employee or applicant is capable of performing the essential functions of a job but requests an accommodation for pregnancy or a related condition, the Act requires the employer to either:

- Provide the requested accommodation; or

- Engage in an interactive process with the individual to determine an effective, reasonable accommodation

Examples of reasonable accommodations for pregnancy and related conditions include:

- More frequent or longer breaks (paid or unpaid)
- Time off to attend to a pregnancy complication or recover from childbirth (with or without pay)
- Acquisition or modification of equipment or seating
- Temporary transfers to less strenuous or hazardous positions
- Job restructuring
- Light duty
- Private non-bathroom spaces for expressing breast milk
- Assistance with manual labor; and
- Modified work schedules

Other types of accommodations may be reasonable as well. However, the PWFA does not require employers to:

- Discharge or transfer any employees who have more seniority than an individual who needs an accommodation; or
- Promote any employee who is not capable, with or without a reasonable accommodation, of performing the essential functions of the job

Under the PWFA, employers may require employees to provide medical documentation regarding the need for an accommodation and any extension of an accommodation beyond its original terms.

However, employers may not require medical documentation for any of the following accommodations:

- More frequent restroom, food or water breaks
- Seating
- Limits on lifting more than 20 pounds; and
- Private, non-bathroom space for expressing breast milk

The Town of East Longmeadow may deny a reasonable accommodation only if it can demonstrate that the accommodation would impose an undue hardship on its program, enterprise or business. Undue hardship is defined as an action requiring significant difficulty or expense. In making a determination of undue hardship, the following factors are considered:

- The nature and cost of the needed accommodation
- The overall financial resources of the employer
- The overall size of the employer's business, in terms of the number of its employees and the number, type and location of its facilities; and

- The effect on expenses and resources or any other impact of the accommodation on the employer's program, enterprise or business

The PWFA prohibits employers from:

- Denying an employment opportunity to an individual based on the employer's need to make a reasonable accommodation for the individual's known pregnancy or related condition
- Failing to reinstate an employee to her original employment status or to an equivalent position with equivalent pay and benefits once she no longer requires a reasonable accommodation for pregnancy or a related condition
- Requiring an individual to accept an accommodation that is not necessary to enable her to perform the essential functions of the job
- Requiring an employee to take a leave of absence instead of another reasonable accommodation that may be provided without undue hardship on the employer's program, enterprise or business; and
- Discharging or in any other manner discriminating or retaliating against an individual because she requests or uses a reasonable accommodation

The PWFA is administered and enforced by the Massachusetts Commission Against Discrimination (MCAD). Employees who believe their rights under the PWFA have been violated must file a complaint with the MCAD within three hundred (300) days after the date of an alleged violation.

In addition, an employee who files a complaint with the MCAD becomes authorized to file a lawsuit against the employer once ninety (90) days have passed since the complaint was filed. To be valid, a lawsuit must be filed within three (3) years after the date of the alleged violation.

Domestic/Sexual Violence Victims Leave

The Town of East Longmeadow is committed to promoting the health and safety of our employees. Domestic violence is a leading cause of injury to women in this country, although men may also be victims of such violence. The purpose of this policy is to heighten awareness of domestic violence and to provide guidance for employees and management to address the occurrence of domestic violence and its effects in the workplace.

Domestic violence is a pattern of coercive behavior that is used by one person to gain power and control over another which may include physical violence; sexual, emotional and psychological intimidation; verbal abuse; stalking; and economic control. Domestic violence occurs between people of all racial, economic, educational, religious backgrounds, in heterosexual and same sex relationships, living together or separately, married or unmarried, in short-term or long-term relationships.

It is the policy of the Town of East Longmeadow to use early prevention strategies in order to avoid or minimize the occurrence and effects of domestic violence in the workplace. The Town will provide available support and assistance to employees who are survivors of domestic

violence. This support may include: confidential means for coming forward for help, resource and referral information, additional security at the workplace, work schedule adjustments or leave necessary to obtain medical, counseling or legal assistance and workplace relocation. Other appropriate assistance will be provided based upon individual need. In all responses to domestic violence, the Town of East Longmeadow will respect the confidentiality and autonomy of the adult survivor to direct her or his own life, to the fullest extent permitted by law.

The Town will attempt to maintain, publish and post in locations of high visibility, such as bulletin boards and break rooms some resources for survivors including, but not limited to the national domestic violence hotline number (800) 799-SAFE and the Employee Assistance Program (EAP) number (800) 451-1834.

Leave options for employees who are experiencing threats of violence.

- At times, an employee may need to be absent from work due to family violence, and the length of time should be determined by the individual's situation. This time period shall be determined through collaboration with the employee, supervisor and the Town Administrator, and if the employee is represented by a union, the union representative.
- Employees and supervisors are encouraged to first explore whether paid options can be arranged which may help the employee cope with a family violence situation without having to take formal unpaid leave of absence. Depending on the circumstances, this may include:
 - Arranging flexible work hours so that the employee can handle legal matters, court appearances, housing and childcare
 - Consider vacation leave, personal leave, sick leave, or leave without pay, especially if requests are for relatively short periods

While the Town retains the right to discipline employees for cause, the Town of East Longmeadow recognizes that victims of domestic violence may have performance or conduct problems such as chronic absenteeism or inability to concentrate as a result of the violence. When an employee subject to discipline confides that the job performance or conduct problem is caused by domestic violence, a referral for appropriate assistance should be offered to the employee.

The supervisor, in collaboration with the employee, Employee Assistance counselor, Human Resource Director and union representative where the employee is represented, should allow a reasonable amount of time for the employee to obtain assistance regarding the domestic violence. Supervisors should be mindful that the effects of domestic violence can be severe and may take extended periods of time to address fully.

The Town of East Longmeadow is committed to providing a workplace in which the perpetration of domestic violence is neither tolerated nor excused. Any physical assault or threat made by an employee while on Town premises, during working hours, or at a Town sponsored social event is a serious violation of Town policy. This policy applies not only to acts against other employees, but to acts against all other persons, including intimate partners. Employees found to have

violated this policy will be subject to corrective or disciplinary action, up to and including discharge.

Employees who are convicted of a crime as a result of domestic violence may be subject to corrective or disciplinary action, up to and including discharge, when such action affects the work performance of the employee or affects the normal operation of the Town of East Longmeadow.

Military Service/Veteran's Leave (USERRA)

A Town of East Longmeadow employee will not be discriminated against in employment, reemployment, retention, promotion or any benefit of employment on the basis of their past or current membership in, or application for membership in, the uniformed services or their performance or obligation to perform in the uniformed services.

An employee will be granted leave to perform military service (whether voluntary or involuntary) if each of the following conditions is met:

- The military service is to be performed in a uniformed service. The uniformed services include the following:
 - The full-time and reserve components of the Army, Navy, Marine Corps, Air Force, Coast Guard and the National Guard
 - The commissioned corps of the Public Health Service
 - Any other category of persons designated as a “uniformed service” by the President in time of war or national emergency

Even if you're not a member of the uniformed services, service as an intermittent disaster response appointee upon activation of the National Disaster Medical System or participation in a training program qualified for military leave.

- Written or oral advance notice of the military service is provided to the Town by the employee or an appropriate officer of the branch of the uniformed service in which the employee will be serving. However, no notice is required if doing so is impossible or unreasonable because of military necessity or other legitimate reasons
- The combined length of your previous military absences from the Town does not exceed five (5) years, excluding any exempt periods of military service

The following categories of service are exempt from the five (5) year service limitation:

- Required training for reservists and National Guard members, including two (2) week annual training sessions and monthly weekend drills
- Service from which a person, due to no fault of the person, is unable to obtain a release before the expiration of the five (5) year period
- Service required beyond five (5) years to complete an initial period of obligated service
- Active duty service, other than for training, performed because of a national emergency or war, or in support of a critical or operational mission

- Any kind of service other than active duty service if reemployment was initiated before December 12, 1994

Employees required to participate in military reserve training, will be paid the difference between their base pay and military service pay received during annual summer training to a maximum of fifteen (15) regularly scheduled work days.

An employee has the right to be reemployed in their position with the Town of East Longmeadow if they leave their position to perform service in the uniformed service and:

- Ensure that they give the Town advance written or verbal notice of their service
- Have five (5) years or less of cumulative service in the uniformed services while with the Town of East Longmeadow
- Return to work or apply for reemployment in a timely manner after the conclusion of service; and
- Have not been separated from service with a disqualifying discharge or under other than honorable conditions

If an employee is eligible to be reemployed, they will be restored to the position and will attain the benefits that they would have attained if they had not been absent due to military service or, in some cases given a comparable position.

An employee may elect to continue health plan coverage for themselves and dependents for up to twenty-four (24) months. If your military service is 30 days or fewer, you will be required to pay the normal employee share of the premium. If your military service is 31 or more days, you will be required to pay no more than 102 percent of the full premium for coverage. Upon reemployment after your military service, no waiting period or exclusion will be imposed on you or your dependents, except with respect to service-connected injuries or illnesses.

After completing your military service, you must report back to work or apply for reemployment as follows:

- Military service of 1 to 30 days or absence for fitness examination. You must report for work by the beginning of the first full regularly scheduled work day that falls eight hours after you return home. If timely reporting is impossible or unreasonable through no fault of your own, you must report to work as soon as possible
- Service of 31 to 180 days. You must submit an application for reemployment no later than 14 days after completion of military service. If submission of a timely application is impossible or unreasonable through no fault of your own, the application must be submitted as soon as possible
- Service of 181 or more days. You must submit an application for employment no later than 90 days after completion of military service
- Service connected injury or illness. The reporting and application deadlines described above will be extended up to two (2) years if you are hospitalized or convalescing because of service connected injury or illness. If timely reporting within the two year

period is impossible or unreasonable due to circumstances beyond your control, the period is extended by the minimum time required to accommodate those circumstances

During military leave, an employee is entitled to participate in any rights and benefits not based on seniority that are available to employees having similar seniority, status, or pay who are on nonmilitary leaves of absence, including any such rights and benefits that become effective during the leave. An employee will be required to pay for these rights and benefits only to the same extent that other employees on leaves of absence would be required to pay.

During your military leave, an employee has the right to use any vacation or similar leave pay that was accrued prior to military service. It is your personal choice whether to use vacation or similar leave with pay during military service. The Town of East Longmeadow cannot require an employee to use vacation or similar leave with pay during military service.

Funeral/Bereavement Leave

All regular, full-time employees and regular, part-time employees who work a minimum of 20 hours per week on a regular basis are entitled to funeral/bereavement leave in the event of a death in their immediate family. Temporary and seasonable employees are not eligible. An employee may be granted up to a three (3) day leave (three consecutive working days) with pay. The employee will be compensated for their regularly scheduled work hours from which they are absent due to the funeral leave, not to exceed eight (7.5) hours each day, at their regular basic straight time rate of pay.

Immediate family is defined as: parents, children, grandparents, grandchildren, spouse, domestic partner, brother/sister, in-laws including mother/father, daughter/son, domestic partner's mother or father, sister/brother-in-law, stepsister/brother-in-law and step relatives including stepchild, stepmother/father, stepsister/brother, stepmother/father-in-law, stepdaughter/son-in-law, step grandchild.

Employees may be excused with pay for one (1) day to attend the funeral of an aunt, uncle, first cousin, niece, nephew, close relative or friend.

No payment shall be made for absences due to a death in the family should any part of the day(s) absent fall on Saturday, Sunday, paid holiday, vacation, or while on leave status. The funeral allowance will be paid only for scheduled work time lost and will not be counted in computing overtime.

Additional time off, due to required extended travel or similar complications, may be granted without pay at the discretion of the department supervisor or the Town Manager. Except in very unusual circumstances, bereavement leave must be utilized within seven (7) days of the date of death.

The Town of East Longmeadow reserves the right to request verification of death and bereavement leave is not counted against any paid time off allowance.

Jury Duty Leave

The Town of East Longmeadow acknowledges the importance of participating in civic affairs and grants time off without loss of pay or benefits for all regular, full-time employees and regular, part-time employees who work a minimum of 20 hours per week on a regular basis. Employees are asked to notify their supervisor immediately if required to participate in jury duty, and forward a copy of the court's notification to the Office of the Town Manager.

The Town will pay an employee their regular straight time pay for up to three (3) days of jury duty service performed Monday through Friday and compensation will not exceed eight (7.5) hours for each day.

Upon completion of the jury duty service, a copy of the court's notification/verification form must be submitted to the supervisor to meet payroll recordkeeping requirements.

An employee is expected to return to work on those work days when the jury is dismissed early.

Massachusetts Parental Leave Act (MPLA)

All regular, full-time employees and regular, part-time employees who work a minimum of 20 hours per week on a regular basis and who have completed their three (3) month introductory period may be entitled to benefits under the Massachusetts Parental Leave Act (MPLA). Parental leave provides eligible employees up to eight (8) weeks of unpaid leave, for the purposes of giving birth to a child or for the adoption of a child under the age of 18 years, or under age of 23 years if the child is mentally or physically disabled with the employee or for the placement of a child with an employee pursuant to a court order.

An employee requesting parental leave is required to provide at least two weeks' notice of their anticipated departure date and notice of their intention to return to work. An employee will be allowed to provide less than two weeks' notice as long as the notice is made as soon as practicable and the delay is for reasons beyond the employee's control. If both parents are employed by the Town, the eight (8) weeks of parental leave must be shared for the birth or adoption of the same child.

If the employee is eligible under the provisions of the Family Medical Leave Act, as well as the Parental Leave Act, Town contributions toward health insurance premiums in which the employee is enrolled at the time of leave commences, will continue when the leave runs concurrently under the provisions of both leave laws.

Please notify your supervisor as soon as possible of your anticipated need for leave under the provisions of MPLA. You will be asked to complete a leave of absence request form. After review of your written request, you will be sent a notice informing you of the approval status and confirming the expected dates of your parental leave and your return to work.

Employees on approved MPLA will be required to use available time under the Town's sick time pay plan and may elect to use available paid time off under the Town's vacation pay plan when available.

At the end of the leave, the employee will be returned to their same or equivalent position with the same pay, benefits, working conditions and duties so long as similarly situated employees have not been affected by layoffs.

G. GENERAL INFORMATION

Disciplinary Process

The purpose of this policy is to state the Town of East Longmeadow's position on administering equitable discipline for unsatisfactory conduct in the workplace. The best disciplinary measure is the one that does not have to be enforced and comes from good leadership and fair supervision at all employment levels.

The Town's own best interest lies in ensuring fair treatment of all employees and in making certain that disciplinary actions are prompt, uniform and impartial. The major purpose of any disciplinary action with respect to minor or less serious infractions is to correct the problem, prevent recurrence and prepare the employee for satisfactory service in the future.

Employee offenses and violations of Town policies are generally dealt with using a system of progressive discipline whereby an employee will be issued a written counseling notice outlining the offensive behavior and stating the corrective action requested of the employee by the supervisor.

Customarily the Town will apply a four (4) step disciplinary counseling process to all non-bargaining employees except for those serving their three (3) month introductory period as well as seasonal and temporary employees.

It is important to note that some offenses committed by an employee may be so serious in nature that an unpaid suspension or immediate discharge is necessary. Each offense will be reviewed along with the employee history of progressive discipline prior to applying appropriate counseling measures.

While the Town provides this policy as a guide for information concerning the administration and enforcement of its policies and any violations that may arise from such policies, the severity and circumstances surrounding a particular violation may warrant the imposition of a more serious form of discipline. Therefore, the Town reserves the right to accelerate these progressive disciplinary measures in order to institute the level of discipline that properly deals with the severity of the infraction in question.

- Step 1 – First Written Counseling: The supervisor will discuss the infraction with the employee; provide a first written counseling outlining the offensive behavior and corrective action required along with the next progressive step of the disciplinary process. The employee will be requested to sign their name on the counseling indicating their understanding of its content and that they received a copy of the counseling. The Step 1 counseling will lapse after six (6) months and made inactive unless further disciplinary action for the same or similar offense is indicated.
- Step 2 – Second Written Counseling: Should the need arise for a second written counseling, the supervisor will administer the counseling stating the expected outcome and time period provided to the employee during which immediate corrective action must

be taken. The employee will be requested to sign their name on the counseling indicating their understanding of its content and that they received a copy. The Step 1 and 2 counseling's will lapse after six (6) months from the date of the second written counseling and made inactive unless further disciplinary action for the same or similar offense is indicated.

- Step 3 – Final Written Counseling and Suspension: Should the need arise for a final written counseling, the infraction will once again be documented including the expected outcome and duration in which improvement must be made. This final counseling may include an unpaid three (3) day disciplinary suspension. Language indicating that failure to take immediate corrective action may result in termination of employment will be incorporated within the counseling.
For instances that may involve violations of the Town's other policies, a referral to the Employee Assistance Program may also be a part of this step process. The employee will be requested to sign their name on the counseling indicating their understanding of its content and that they received a copy. This final step and prior steps will lapse after one (1) year from the date of the final counseling unless further disciplinary action is indicated.
- Step 4 – Discharge: Should the application of the disciplinary process fail to bring about the desired conduct or behavior of an employee; upon review of the facts by the supervisor, department head and/or Town Manager, a joint determination may be made to terminate the employment of the employee immediately and without notice.

While it is impossible to list every type of behavior that may be deemed a serious offense in this section, the **Employee Code of Conduct** policy includes examples of problems that may result in immediate suspension or termination of employment.

Disclaimer for Unionized Employees

Unionized employees subject to union contracts are governed by the terms of their respective collective bargaining agreements. If any provision of these handbook policies, procedures and practices are in conflict with a condition of an applicable collective bargaining agreement, the terms of the collective bargaining agreement shall prevail.

Where these handbook policies, procedures and practices are not contained within collective bargaining agreements, these policies, procedures and practices shall govern.

Town of East Longmeadow

Employee Handbook Receipt Form

This employee handbook is intended for management and employee guidance only and is not to set forth any binding rights or to be regarded as a contract.

The 2021 employee handbook supersedes all previously issued handbooks, policies and procedures. The Town of East Longmeadow reserves the right to unilaterally interpret, change, alter, suspend, cancel or decline to apply any particular policy contained in the handbook at any time based on a given situation if in its discretion to do so would best serve the Town's interests. These changes may be made at the Town's discretion with or without advance notice and without having to give cause or justification.

Unless otherwise governed by a separate union agreement or employment contract, you are employed by the Town at will, and this handbook does not create any independent contractual rights, duties, obligations or promises of any kind. You are free to resign your employment with the Town of East Longmeadow at any time. Similarly, the Town may terminate your employment for any lawful reason, with or without notice, at any time. The Town may not terminate an employee for any unlawful reason. If a misunderstanding, situation or problem arises which you believe was not handled properly, please refer to the Human Resources office or Town Manager for guidance. It is our intent to treat all employees fairly.

We hope you will find this handbook helpful and interesting. Once you have received and read a copy of this handbook, we ask that you sign below indicating you have read and understand the contents and how it applies to you. Please return the signed Employee Handbook Receipt Form to the Human Resources Director.

I have received, read and fully understand the contents of the East Longmeadow Employee Handbook covering the Town's various policies, procedures and guidelines.

Employee Name (Please Print)

Employee Signature

Date