Welcome! We are pleased that you have become an employee of the City of Melrose.

As a Municipal Employee, you have chosen work that is both rewarding and, at the same time, extremely visible. The functions that you perform on a daily basis uniquely impact the quality of life in Melrose.

“The importance of quality customer service in local government can’t be overstated, because any given citizen only periodically comes into contact with government employees, those few experiences greatly influence that citizen’s perception of the quality of all local government services."

This Employment Manual is intended to be a general guide to the employment policies of the City of Melrose for all City Departments except the School Department. Employees in the Melrose Public Schools should refer to their collective bargaining agreements or school personnel policies for specific information about their employment.

Please take time to read this Manual. The Human Resources Department will, from time to time, provide updates for specific sections of the Manual.

Updated: September, 2018
DISCLAIMER

This Employment Manual is intended to be a general guide to the employment policies of and benefits applicable to the City of Melrose employees. You should refer to it when questions arise about City employment.

By preparing this Manual, the City of Melrose does not intend to create a contract of employment between the City and any of its employees and no part of this Manual should be considered a contract with the City. Employees who are not union members, who are not part of the Civil Service System, or who do not have contracts with the City, are employees at will, and may either decide to leave the City’s employ or be terminated at any time and for any reason.

In addition, by preparing this Manual, the City of Melrose does not intend to modify the terms of any individual employment agreement or collective bargaining agreement. If you have an employment agreement or are a union member, you should also refer to your contract for guidance about the terms and conditions of your employment.

The City reserves its right to amend, modify, suspend, change, or cancel the terms of this Manual, in whole or in part, at any time, in its sole discretion. Revisions to the Manual will be distributed by the City, but it is the employee’s responsibility to ensure that his/her Manual is kept up to date. The enclosed material supersedes any policies or manuals previously distributed.

Employees covered under a specific Collective Bargaining (Union) Agreement should consult their respective agreements as it may relate to the Employment Manual.
Message from the Mayor

Dear Melrose Employee:

It is my pleasure to welcome you as an employee of the City of Melrose. Your selection as a successful job candidate is the result of a careful recruitment and evaluation process, and is a confirmation that you possess the education, experience, enthusiasm, pride and professionalism necessary for your success in our challenging and rewarding work environment.

Because we are committed to providing the best possible service and value to the citizens of our historic and dynamic city, we expect you to maintain the highest standards of performance and ethical conduct. In return, we offer competitive salaries and an extensive benefit program.

We are always working to improve our performance; therefore we welcome employee suggestions for new and better ways to manage our programs, services and workers. I maintain an “open door” policy for all employees. If you need to talk to me directly about your ideas for improving the way we do business, or if you are having work-related problems that aren’t being addressed by your departmental supervisors, then you shouldn’t hesitate to call my office for an appointment.

Again, welcome to the team. Melrose is a wonderful place to work, live and play. Together, we can make it even better. I look forward to working with you.

Mayor Gail Infurna
DEFINITIONS

**Appointing Authority**
The person or officials authorized by law to make appointments and dismissals. In the City of Melrose, the Mayor is the sole appointing authority.

**Exempt Position**
Those employees of the City who are exempt from overtime payments pursuant to M.G.L. c. 151, Section 1A and/or Section 13(a)(1) of the Fair Labor Standards Act as defined by Regulations, 29 CFR Part 541.

Examples of such employees generally include certain department heads, managers, professional, computer and administrative employees who are compensated on a salary basis.

**Non-Exempt Position**
All City employees not classified as exempt, seasonal, temporary, intermittent or contract employees.

**Full-Time Employee**
An employee who works a regularly scheduled minimum of thirty (30) hours or more hours per week and has definite assigned responsibilities.

**Part-Time Employee with Benefits**
An employee who works on a regularly scheduled minimum of twenty (20) hours per week (1,040 annually) but less than thirty (30) hours per week and has definite assigned responsibilities. These employees are granted holiday pay, vacation pay and sick pay on a pro-rata basis, as determined by the number of regularly scheduled hours compared to the normal work week in his or her given department. These employees are eligible for group health and other benefits.

**Part-Time Employee without benefits**
A part-time employee is an employee who is scheduled eighteen (18) hours or less per week regularly. These employees are not entitled to holiday pay, vacation pay, sick pay, group health insurance or any other benefits.

**Seasonal, Temporary, Intermittent, or Vendor**
An employee who is serving in a position for a specified period of time or completing a specific project. These employees are not entitled to holiday pay, vacation pay, sick pay, group health insurance or any other benefits regardless of the number of hours worked per week unless, in the case of a contract employee, it is explicitly provided pursuant to his or her contract.
CITY HISTORY

The history of Melrose, Massachusetts begins with the settlement of Mishawum, later Charlestown, in 1629. In 1633 all the territory north of the Mystic River was granted to Charlestown and was known as Mystic Side. In 1640 Mystic Side was set off from a separate town in May 1649. The Melrose area was then known as Malden North End and later as North Malden.

The territory was sparsely settled until the Boston and Maine Railroad began operations in July 1845, which soon brought in many residents. At that time, Maple Street was the center of communal activities and was known as the “Village.”

As the activities of the village were so distinct from the center of Malden, the residents petitioned the General Court of Massachusetts for incorporation as a town, and with the support of the Malden voters this was accomplished and the Town of Melrose was incorporated May 3, 1850. A petition to the General Court for incorporation as a City was done by Act of March 18, 1899. This was accepted at a town meeting held on May 8 and the election of city officials took place on January 1, 1900.

The City Charter provided for the administration of all fiscal, prudential and municipal affairs, with the government thereof, except the affairs of the public schools, to be vested in an executive department consisting of Mayor and a legislative department consisting of a Board of Aldermen.

GOVERNMENT

The City is divided into seven wards with one Alderman representing each ward plus four Aldermen-at-Large for a total of eleven. The Mayor is elected for a four year term and the Aldermen are elected for two-year terms.

SCHOOL COMMITTEE

Members of the School Committee are elected for four-year terms at the same time as other City officials. The Mayor is a member of the Committee, and the Committee selects its own Chairman and is responsible for appointing a Superintendent of Schools.
CITY OF MELROSE
STANDARDS FOR CUSTOMER SERVICE

“The importance of quality customer service in local government can’t be overstated, because any given citizen only periodically comes into contact with government employees, those few experiences greatly influence that citizen’s perception of the quality of all local government services.”

Customer Service is everyone’s responsibility, not just those who staff the front information desks. Every time we interact with an individual, answer the telephone, send an email, write a letter, or attend a meeting, we are making an impression on our customers – whether they are citizens, visitors, people working in Melrose, people working with our staff on a project, or even City employees. These customer service standards were created for employees to follow to ensure that the quality of service to all of our customers meets or exceeds their expectations.

All new employees will be introduced to these standards as part of their orientation program.

GUIDING PRINCIPLES

- We are a dedicated organization committed to enhancing the quality of life in Melrose by providing premium services in response to the needs of everyone who lives, works and visits our City.
- Customer Service is the reason for our existence as a city government. Our customers have the right to respect, safety, appropriate assistance, honesty, and competency regardless of age, ancestry, color, creed, disability, marital status, national origin, presence of children, race, gender, or sexual orientation.

Standards covering all Customer Service Interactions

Customers have a right to expect...

- Courtesy, respect, honesty and professionalism

- That the staff person will listen to their request/question, ask for clarification if necessary and provide complete knowledgeable, accurate, precise information regarding their inquiry.

- The staff person will make a reasonable effort to provide information about the City and, as appropriate, other outside agencies related to their department’s function.
Telephone/Voicemail

Customers have a right to expect...

- Telephones will be answered promptly (within three rings) whenever possible. We prefer a person, not a voicemail, will answer the department main number whenever possible.

- Calls will be answered in a courteous manner (with a smile).

- Employees will:
  
  o Listen and understand the nature of requests before transferring a call;
  o Inform callers to whom they are being transferred along with the telephone number and department of the person.
  o Explain that they cannot assist if unable to do so, offer to take a message and ensure that the caller receives a return call within 24 hours (during business hours).
  o Provide the caller with the option to go to voicemail or leave a message before transferring a call.
  o Acknowledge voicemail messages within 24 hours on regular business days.
  o Keep their outgoing voicemail greeting current by notifying the public; when out of the office, and offering an alternative number for customers to call.

In Person

Customers have a right to expect...

- A timely and courteous acknowledgement, such as eye contact or a positive indication that the employee knows they are there, especially if the employee is on the telephone or with another customer.

- That each main informational counter will be staffed during business hours or, if staff is unavailable, will have signage referring them to the appropriate department.

In Person Contacts with Field Personnel

Customers have a right to expect...

- When a resident approaches a City employee who is doing work in the field, whenever possible staff will attempt to answer the question if it pertains to the employee’s duties, or if the employee knows the answer.
• If a question pertains to an area outside of the employee’s scope of duties or department, the employee will explain this, and will provide the resident with helpful numbers. This will provide the resident with the correct information they need to contact the department that can their question.

• If the employee cannot answer the question and it is related to their duties, employees’ will offer the option to the resident of contacting a supervisor, so that supervisor can speak to the resident either by phone or by coming to meet the resident in person.

• If employees are speaking with a resident who wants to make an inquiry to the Public Works Tremont Street Operations Center, they should inform them that Offices are staffed and phone lines are answered between the hours of 7:00 AM to 4:00 PM. All crews generally work a 7:00 AM to 3:00 PM schedule.
# Table of Contents

<table>
<thead>
<tr>
<th>Section</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>Welcome</td>
<td>Intro</td>
</tr>
<tr>
<td>Disclaimer</td>
<td>1</td>
</tr>
<tr>
<td>Message from Melrose’s Mayor</td>
<td>1</td>
</tr>
<tr>
<td>Definitions</td>
<td>1</td>
</tr>
<tr>
<td>City History</td>
<td>1</td>
</tr>
<tr>
<td>Standards for Customer Service</td>
<td>1</td>
</tr>
</tbody>
</table>

1. Employment Practices
   - A. Probationary Period | 1
   - B. Hiring Rate and Wage Progress | 1
   - C. Personnel Matters | 2
   - D. Personnel Files | 2
   - E. Work Week/Overtime | 3
   - F. Compensatory Time | 3
   - G. Payroll Information | 4
   - H. Tobacco Use Policy | 5
   - I. Drug, Marijuana and Alcohol Free Workplace Policy | 5
   - J. Workers’ Compensation | 7
   - K. Workplace Safety | 7
   - L. Use of City Vehicles and Mileage Reimbursements | 8
   - M. Equal Employment/Affirmative Action | 8
   - N. Americans with Disabilities Act | 8
   - O. Harassment Prevention Policy | 8
   - P. Performance Management | 11
   - Q. City Property | 13
   - R. Weapons and Violence Free Workplace | 13
   - S. References and Recommendations | 14

2. Paid Time Off/Leaves
   - A. Vacation | 15
   - B. Holidays | 16
   - C. Leaves | 17
     - Sick Leave | 17
       - Sick Accruals | 17
       - Sick Leave Bank | 18
       - Sick Leave Incentive | 19
     - Medical Day | 19
     - Cancer Screening Leave | 19
     - Organ Donor Leave | 20
     - Personal Leave | 20
   - D. Family and Medical Leave Act | 21
<table>
<thead>
<tr>
<th>Section</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>E. MA Pregnant Worker’s Fairness Act</td>
<td>23</td>
</tr>
<tr>
<td>F. Parental Leave</td>
<td>23</td>
</tr>
<tr>
<td>G. Bereavement Leave</td>
<td>24</td>
</tr>
<tr>
<td>H. Military Leave and Training</td>
<td>24</td>
</tr>
<tr>
<td>I. Jury Duty and Court Leave</td>
<td>25</td>
</tr>
<tr>
<td>J. Small Necessities Leave Act</td>
<td>26</td>
</tr>
<tr>
<td>3. Fringe Benefits</td>
<td>26</td>
</tr>
<tr>
<td>A. Health Insurance</td>
<td>26</td>
</tr>
<tr>
<td>B. Life Insurance</td>
<td>27</td>
</tr>
<tr>
<td>C. Section 125 - Cafeteria Plan</td>
<td>27</td>
</tr>
<tr>
<td>D. COBRA</td>
<td>28</td>
</tr>
<tr>
<td>E. Retirement Benefits</td>
<td>28</td>
</tr>
<tr>
<td>F. Credit Union</td>
<td>29</td>
</tr>
<tr>
<td>G. Longevity Compensation</td>
<td>29</td>
</tr>
<tr>
<td>H. Flexible Spending Account</td>
<td>30</td>
</tr>
<tr>
<td>4. Other City Employee Considerations</td>
<td>31</td>
</tr>
<tr>
<td>A. Conflict of Interest</td>
<td>31</td>
</tr>
<tr>
<td>B. CORI Policy</td>
<td>32</td>
</tr>
<tr>
<td>C. Sensitive and Personal Information</td>
<td>33</td>
</tr>
<tr>
<td>D. Communications Policy</td>
<td>34</td>
</tr>
<tr>
<td>E. Dress, Appearance, Fragrance in the Workplace</td>
<td>38</td>
</tr>
<tr>
<td>Acknowledgement Receipt</td>
<td>40</td>
</tr>
</tbody>
</table>
SECTION 1. EMPLOYMENT PRACTICES

A. PROBATIONARY PERIOD
All new employees, whether full-time or part-time, must serve a six (6) month probationary period. The probationary period is designed to allow the employee and his/her supervisor to determine if the position is one for which the employee is well suited.

Probationary Period Appraisal
Supervisors will conduct a Probationary Period Review with newly hired employees, prior to the six month anniversary. The purpose of the review is to clarify expectations, give feedback and provide direction. The Probationary Period Appraisal Form will be filed in the employee’s personnel file.

Those employees with service longer than six months, who are promoted or transferred into a new role, shall also have a probationary period in the new position to allow the employee and his/her supervisor to determine if the position is one for which the employee is well suited.

Probationary employees may be disciplined, discharged or otherwise terminated at the sole discretion of the Employer, and any such action shall not be subject to challenge. Union members should consult with their contracts for probationary period policies. Employees transferring from one department to another are not subject to an additional probationary period. However, a break in service during a probationary period extends the period by the length of the break.

B. HIRING RATE AND WAGE PROGRESS
The hiring rate for non-union employees shall be set at the time the new employee is hired, and generally begins in the step 1 through 4 rate range. Union members should consult with their respective contracts for the appropriate salary plan and hiring rate.

If an employee is hired at Step 1, at the end of the six (6) month probationary period, the employee may advance one step rate; provided that the employee’s Department Head concurs that his/her performance warrants it. The employee is then eligible for a step increase one year from their six month anniversary date thereafter.

In the event an employee starts above step 1 for his/her position, no increase in salary will be considered until one year after the employee’s start date. Annually thereafter, the Department Head will review the employee’s performance to determine whether a step increase is warranted.

This shall not apply in the case of transfer or promotion from one job to another. If the employee is transferred or promoted at step one they shall progress to the next compensation step one year after the transfer or promotion, provided that the employee’s Department Head concurs that his/her performance warrants it.
C. PERSONNEL MATTERS
All new employees must visit the Human Resources Department to complete required paperwork.

Benefit Eligible employees:
- Obtain a Group Health Insurance folder. Any questions regarding health should be directed to the Human Resources Manager.
- Obtain information about the Section 125 - Cafeteria Plan. This is a pre-tax benefit plan for employees who are enrolled in one of the City’s health insurance plans.
- Enroll in the Retirement System of the City of Melrose. Please note that Employees of the City are not covered by Social Security. Visit the Retirement Office to enroll.
- Learn about and enroll in the available Basic and Voluntary Life Insurance plans.
- Learn about and enroll in Dental and Disability Insurance
- Learn about and enroll in the Deferred Compensation Program
- Sign-up for Direct Deposit of your paycheck.

The following forms must also be filled out by Part-time Employees who are not eligible for benefits:
- Complete an Employment Eligibility Verification I-9. A Passport or two of the following forms of identification is required: Birth Certificate; a valid Drivers License; Original Social Security Card or Alien Registration Card to prove eligibility to work in the United States.
- Fill out the State and Federal Tax Withholding Forms for payroll deductions.
- Sign-up for O.B.R.A., an alternative retirement plan for employees who are not eligible for the City Retirement System. This is mandatory and is required by the Omnibus Budget and Reconciliation Act of 1990.

D. PERSONNEL FILES
Personnel Files are maintained by the Human Resources Department for all employees except School employees. These files will include your employment application; copy of your resume; salary changes and similar documents related to your employment with the City.

You are by law entitled to see your personnel file. Should you desire to see your file, please put the request in writing and give the Human Resources Office at least five (5) days notice if you wish to review or obtain a copy of your records.

Information only as it relates to an employee’s employment or status and/or length of employment will be given to outside sources, i.e. financial or lending institutions. The City will only give out personnel information which is accessible under the Massachusetts Public Records Law (M.G.L. c.4, Paragraph 7(26)(a)-(m)). Other information will only be divulged if the furnishing of such information is authorized in writing by the employee, or is ordered to be released by a court of competent jurisdiction.
**E. WORK WEEK/OVERTIME**

City Hall is open Monday through Thursday, 8:30 a.m. to 4:00 p.m. and Friday 8:30 – 12:30 p.m. The Department Head determines the schedule that best meets the needs of the office.

Generally, City Hall employees are classified as either exempt or non-exempt, in accordance with the parameters of the Fair Labor Standards Act. Generally speaking, non-exempt employees are entitled to be paid at time and one-half for all hours actually worked in excess of 40 in a given work week. Exempt employees are generally paid a set salary and not entitled to overtime. Additionally, Public safety employees shall be compensated for overtime, depending on their work schedule, in accordance with the requirements of the Fair Labor Standards Act.

Nonexempt employees are entitled to overtime compensation, paid at time and one-half rate, for all hours physically worked in excess of 40 in a single work week, as long as the employee has not used time for personal reasons (i.e., sick time, vacation time, personal or holiday leave)

Employees covered under specific Collective Bargaining (Union) Agreements should consult their respective agreements relative to determine work hours requirements.

**F. COMPENSATORY TIME**

**Exempt Employees**

Under the law, those individuals employed in a bona fide executive, administrative, or professional capacity are exempt from the minimum wage and overtime requirements of the Fair Labor Standards Act (“Act”). As a result, exempt employees are not entitled to either overtime pay or compensatory time pursuant to the Act.

**Non-Exempt Employees**

Under law, non-exempt employees covered by the Act must receive overtime pay for hours worked over 40 in a workweek at a rate not less than time and one-half of their regular rates of pay. The Act does not require overtime pay for work on Saturdays, Sundays, holidays, or regular days of rest, unless overtime is worked on such days. In accordance with the Act, different overtime requirements apply to certain individuals employed in a public safety capacity for the City of Melrose.

**Non-Exempt Employees Compensatory Time Off**

When non-exempt employees are required to work beyond the time it normally takes them to complete their job responsibilities, non-exempt employees shall be allowed to apply for reasonable compensatory time off subject to this Policy during such times as their Department Head reasonably determines will not adversely impact City operations.

Compensatory time is not an entitlement. It is expected that non-exempt employees will extend the time to accomplish the usual tasks required of their position in a timely and efficient manner. Non-exempt employees shall be allowed to accumulate and use Compensatory time on a case-by-case basis as determined by their Department Head.
Maximum Time Off for Non-Exempt Employees
Compensatory time is not guaranteed and will not be granted on an hour-for-hour basis for time worked over 40 hours. The purpose of this Compensatory Time Policy is to allow time to offset the extraordinary time put in during peak and exceptional workload periods. Compensatory time taken will be limited to 14 hours within a calendar year except for unusual circumstances approved by the individual Department Head.

Procedural Rules
- When an eligible non-exempt employee works an unusual amount of time within a pay period, he/she shall submit a written summary of these hours to his/her Department Head for approval to be accrued as earned Compensatory Time, within the same pay period the employee believes this to have been earned. The signature of the employee’s Department Head on the payroll time sheet will show that the earned Compensatory Time has been approved.
- If approved, the eligible non-exempt employee must use earned Compensatory time within thirty days of accruing the time. Compensatory time may not be “banked” and used as vacation time.
- Prior to using earned Compensatory Time, the non-exempt employee must request approval from his/her Department Head to use the earned Compensatory Time on specific dates. The signature of the employee’s Department Head on the payroll time sheet will show that the use of Compensatory Time has been approved. In the absence of an employee’s Department Head, the Mayor or Human Resources Director may approve compensatory time requests.
- The Department Head is required to track compensatory time and must make every effort to properly record the Compensatory Time hours earned and used based on the payroll sheets submitted, but it is the employee’s responsibility to notify the Human Resources Department of discrepancies within 30 days of the receipt of the pay slip in question.
- Compensatory time may not accrue from year to year and must be used within thirty days of performing the Extra Work. If an employee terminates employment, and still has compensatory time on his/her record, it is the Department’s responsibility to fund the extra salary and wages.

Examples Which May Cause Extra Time to be Expended:
- Blizzards, Extreme Storms or Continuous Storms over Several Days
- Exceptional Demands on City Services such as unusual or exceptional work load due to major or simultaneous projects
- Unusual Demand for Special Reports to the State
- Establishment of New Procedures
- Late Tax Billing

G. PAYROLL INFORMATION
Most employees are paid weekly by direct deposit for the period covering the previous work week. City Hall employees, however, are paid for the current week in which they are working. Direct deposit is required upon hire for employees including non-union employees and Board Members. Employees covered under a specific Collective
Bargaining (Union) Agreement should consult their respective agreements for provisions relative to this section.

Pay checks will reflect payroll deductions, including federal income tax, state income tax, group health insurance deductions, basic and voluntary life insurance deductions, credit union deductions and retirement deductions. For employees hired after April 1, 1986, there is an additional deduction for federal Medicare.

Please contact the Human Resources Office to have your paycheck directly deposited into your bank.

H. TOBACCO USE POLICY
In compliance with the MA General Laws, the City of Melrose is committed to providing a safe and healthy workplace and to promoting the health of its employees and residents. Therefore, use of tobacco products is not allowed inside of or within twenty five (25) feet of all City of Melrose properties. Tobacco products include, but are not limited to, lit cigarettes, lit cigars, lit pipes, chew less tobacco, E-cigarettes and any other product containing tobacco or tobacco-like products. This policy applies to: public or private buildings occupied by city employees; all city sponsored off-site conferences or meetings; all vehicles owned or leased by the City; all visitors (citizens, contractors and vendors) to city premises; all full-time, part-time and temporary employees.

I. DRUG, MARIJUANA and ALCOHOL FREE WORKPLACE POLICY
The purpose of this policy is to ensure the safety of the public safety and all employees and to maintain a safe, and productive work environment for all employees by preventing accidents or other dangerous incidents that may result from drug, marijuana or alcohol use. The possession, use or sale of alcohol, marijuana, legal or illegal drugs on City premises during work hours is strictly prohibited.

Employees are prohibited from reporting to work under the influence of alcohol, marijuana or drugs. An employee who is taking a prescription drug may be required to present a statement to their supervisor or the Human Resources Department from the prescribing physician that the prescription drug will not impair the employee's work performance if the employee fills a safety-sensitive position.

The City will require drug testing of applicants for employment in safety-sensitive positions. Any applicant who refuses to submit to the test will no longer be considered eligible for employment.

DISCIPLINE: Employees found to be in violation of this policy by either directly possessing or using alcohol, marijuana or drugs, as described above, or through a verified positive drug test or by court conviction, may be subject to immediate discharge from employment. Any employee who fails to cooperate with the requirements set forth in this policy, including refusal to test, failure to provide a specimen within a reasonable time, failure to report for a scheduled appointment to provide a specimen or adulteration of a
specimen, will be subject to disciplinary action which may include immediate termination of employment.

ADMINISTRATIVE: The City strictly prohibits the use, possession and/or sale of illegal drugs, drug paraphernalia or unsanctioned the use of alcohol and marijuana while on duty(s) or on the City’s property. Information concerning drug and/or alcohol test results and information concerning violations of this policy will be treated as confidential information. Such information will be released only to management representatives who have a need to know. Test results or documentation showing the employee has been subject to random drug testing shall be provided to that employee or to his/her designated representative, upon written request by the employee.

The ADA provides limited protection from discrimination for recovering drug abusers and for alcoholics. The following is an overview of the current legal obligations for employers and employees:

- An individual who is currently engaging in the illegal use of drugs is not an “individual with a disability” when the employer acts on the basis of such use.
- An employer may not discriminate against a person who has a history of drug addiction but who is not currently using drugs and who has been rehabilitated.
- An employer may prohibit the illegal use of drugs and the use of alcohol at the workplace.
- It is not a violation of the ADA for an employer to give tests require testing for the illegal use of drugs.
- An employer may discharge or deny employment to persons who currently engage in the illegal use of drugs.
- Employees who use drugs or alcohol are required to meet the same standards of performance and conduct that are set for other employees.
- Employees may be required to follow the Drug-Free Workplace Act of 1988 and rules set by federal agencies pertaining to drug and alcohol use in the workplace.

The ADA provides that any employee or job applicant who is “currently engaging” in the illegal use of drugs is not a “qualified individual with a disability.” Therefore, an employee who illegally uses drugs—whether the employee is a casual user or an addict—is not protected by the ADA if the employer acts on the basis of the illegal drug use. As a result, an employer does not violate the ADA by uniformly enforcing its rules prohibiting employees from illegally using drugs. However, “qualified individuals” under the ADA include those individuals:

- who have been successfully rehabilitated and who are no longer engaged in the illegal use of drugs;
- who are currently participating in a rehabilitation program and are no longer engaging in the illegal use of drugs; and
• who are regarded, erroneously, as illegally using drugs.

A former drug addict may be protected under the ADA because the addiction may be considered a substantially limiting impairment. However, according to the EEOC Technical Assistance Manual on the ADA, a former *casual* drug user is not protected:

A person who casually used drugs illegally in the past, but did not become addicted is not an individual with a disability based on the past drug use. In order for a person to be “substantially limited” because of drug use, s/he must be addicted to the drug.

Please note that any employee with a problem relating to either alcohol or drug abuse is encouraged to contact their supervisor or the Human Resources Department to discuss counseling or other treatments offered by the employee’s Health Insurance Plan and GIC’s Employee Assistance Program.

**J. WORKERS’ COMPENSATION**

The City of Melrose is self-insured for Workers’ Compensation claims submitted by City employees. Any employee who is injured as the result of a work related injury should do the following:

Notify your immediate supervisor or your Department Head of your injury. An Incident Report putting the City on notice of your injury should be completed by you and your Department Head or Supervisor within 24 hours of the incident. The required forms are available on the City of Melrose HR Department’s webpage.

All questions relating to Workers’ Compensation claims or processing of bills should be addressed to the Human Resources Department. If you are hospitalized as the result of a work related injury/accident, do not use your Health Insurance. Tell the attending physician/hospital this is a Workers’ Compensation claim.

Employees covered under a specific Collective Bargaining (Union) Agreement should consult their respective agreements for provisions relative to Workers’ Compensation/Injured on Duty benefits due to them.

**K. WORKPLACE SAFETY**

The City has a responsibility to provide a work environment in which safe operations can be achieved in accomplishing all phases of work. All employees are expected to be safety conscious and assist the City in finding conditions that might cause an accident. Employees should exercise care and perform work operations in as safe a manner as possible.

In using City vehicles or vehicles rented for City purposes, safe driving practices and all traffic laws are to be observed. Under no circumstances is such a vehicle to be operated without possession of a valid driver’s license, or while the driver is under the influence of alcohol, drugs, or controlled substances. Where possession of a driver’s license or C.D.L. license is a requirement of the job, the loss of such license could result in loss of employment.
L. USE OF CITY VEHICLES and MILEAGE REIMBURSEMENT
City vehicles will be available for use in order to fulfill the duties of certain positions and for those employees who may be required to travel as part of their work duties (within City limits and beyond). These vehicles may use the fuel pumps at the DPW Operations Facility under the direction of the Director of Public Works, or his designee. Employees who have use of City vehicles during work hours may not drive them for personal use during or after work hours, with the exception of there being a state of emergency in place at which time it will be at the discretion of each department head. Employees who have access to and use of City vehicles during work hours are not entitled to mileage reimbursement. All City employees who are eligible for and entitled to mileage reimbursement by virtue of using their personal vehicle for work related travel must complete a weekly log of all miles traveled approved by their respective department manager, including related expenses for tolls, parking, etc. The City will reimburse at the IRS rate then in effect. Drivers of City vehicles shall take reasonable precautions of maintenance, including checking fluid levels, air pressure and safety equipment such as wipers, lights etc.

M. EQUAL EMPLOYMENT/AFFIRMATIVE ACTION
The City of Melrose is committed to the fundamental principles of equal employment opportunity for all current and prospective employees. The City’s policies, procedures and practices are intended to prohibit discrimination based on race, color, religion, sex, age, physical handicap, marital status, national origin, Vietnam veteran status, or sexual orientation. All employment decisions, including recruitment, hiring, upgrading, transfers, termination, compensation, training and evaluation are made by considering applicable work experience and/or job performance only.

The City has an Affirmative Action Plan on file with the Massachusetts Commission against Discrimination for recruiting minority and women applicants. The Human Resources Director for the City serves as the Affirmative Action Officer for the City.

N. AMERICANS WITH DISABILITIES ACT
The City of Melrose takes its obligations under the Americans with Disabilities Act and the Massachusetts disability and handicap discrimination statutes seriously. Accordingly, it does not refuse to hire, dismiss from employment, or discriminate in compensation or other terms of employment because of an otherwise qualified employee’s disability. Employees must, however, be able to perform the essential functions of their jobs. It is not illegal discrimination to require that all employees, including those with disabilities, be able to perform the essential functions of their jobs, or the jobs for which they apply.

If you have any questions about the ADA, or believe that you need some type of accommodation, you should contact the Human Resources Department.

O. HARASSMENT PREVENTION
The City is committed to maintaining a work environment in which employees are treated fairly and in accordance with all applicable laws. Through enforcement of this policy, the City strives to prevent inappropriate conduct that could be considered harassment,
including sexual harassment. In addition, the City is committed to correcting any inappropriate conduct and to disciplining those who violate this policy.

All employees of the City, regardless of position, are covered by, and are expected to comply with this policy and to take appropriate measures to ensure that prohibited conduct does not occur. This policy also extends to City property, including but not limited to its telephones, copy machines, facsimile machines and computers and computer applications, such as email and internet access, which may not be used to engage in conduct that violates this policy.

**Unlawful Harassment**

It is against City Policy to engage in physical, visual, verbal and non-verbal conduct that denigrates or shows hostility or aversion toward an employee because of an employee’s race, color, religious creed, sex, national origin, ancestry, sexual orientation, pregnancy, veteran’s status, military service, age, marital status, genetic information, handicap or any other basis protected by federal, state, or local law or ordinance.

Examples of unwelcome conduct prohibited by this policy include but are not limited to:

- Conduct that unreasonably interferes with an individual’s work performance, that creates an intimidating or offensive work environment, that adversely affects an individual’s employment opportunities and that implicates an employee’s race, color, religious creed, sex, national origin, ancestry, sexual orientation, pregnancy, veteran’s status, military service, age, marital status, genetic information, handicap or any other basis protected by federal, state, or local law or ordinance

- Hostile physical contact, intimidating acts, threats of such actions or violence, or any other actions that may be considered threatening or hostile in nature and that implicates an employee’s race, color, religious creed, sex, national origin, ancestry, sexual orientation, pregnancy, veteran’s status, military service, age, marital status, genetic information, handicap or any other basis protected by federal, state, or local law or ordinance

- Derogatory remarks, epithets, slurs, negative stereotyping, offensive jokes, teasing, the display or circulation of offensive printed, visual or electronic materials or similar misconduct that implicates an employee’s race, color, religious creed, sex, national origin, ancestry, sexual orientation, pregnancy, veteran’s status, military service, age, marital status, genetic information, handicap or any other basis protected by federal, state, or local law or ordinance

**Sexual Harassment**

It is the goal of the City to promote a workplace that is free of sexual harassment. Sexual harassment of employees occurring in the workplace or in other settings in which employees may find themselves in connection with their employment is unlawful and will not be tolerated. Further, any retaliation against an individual who has complained about sexual harassment or retaliation against individuals for cooperating with an investigation of a sexual harassment complaint is similarly unlawful and will not be tolerated.
**Definition of Sexual Harassment**

Any behavior toward any employee by a manager, supervisor, co-worker or vendor, that constitutes unwelcome sexual advances, requests for sexual favors, or the display of derogatory posters, cartoons, or drawings, and other verbal or physical conduct of a sexual nature will be considered sexual harassment when:

- Submission to such conduct is made a condition of an individual’s employment;
- Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual;
- Such conduct has the purpose or effect of unreasonable interfering with an individual’s work performance or creating a hostile, humiliating, intimidating or sexually offensive work environment.

To achieve our goal of providing a workplace free from sexual harassment, the conduct that is described in this policy as well as conduct, which we deem unacceptable, regardless of whether that conduct satisfies the definition of sexual harassment will not be tolerated. We have provided a procedure by which inappropriate conduct will be dealt with, if encountered by employees.

**Complaints of Harassment Including Sexual Harassment**

If any of our employees believes that s/he has been subjected to harassment, the employee has the right to file a complaint.

**Procedures for Reporting Incidents**

Any City employee believing that he or she has been the subject of harassment should create and submit a written report of any such incident as soon as possible to his or her supervisor or the Director of Human Resources. Supervisors are required to inform the Director of Human Resources upon receipt of any such allegations.

**Harassment Investigation**

Management will thoroughly and promptly investigate every reported incident of employee harassment. Management cannot guarantee complete confidentiality, but will do its best throughout the investigation to respect the confidences and sensitivities of all parties in the incident. The reporting employee will be afforded protection from retaliation, and the results of any investigation of alleged harassment shall be promptly communicated to the employee.

**Disciplinary Action**

The City takes allegations of sexual harassment seriously, 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 appropriate under the circumstances. Such actions may range from counseling to termination of employment, and may include other forms of disciplinary actions as we deem appropriate under the circumstances.

**State and Federal Remedies**

In addition to the above, if you believe you have been subjected to harassment, you may file a formal complaint with either or both of the government agencies set forth below. Using our complaint process does not prohibit you from filing a complaint with these
agencies. Each of the agencies has a short time period for filing a claim (EEOC - 180 days; MCAD - 6 months).

1. The United States Equal Employment Opportunity Commission (“EEOC”)

   John F. Kennedy Federal Building
   475 Government Center
   Boston, MA 02203
   1-800-669-4000

2. The Massachusetts Commission Against Discrimination (“MCAD”)

<table>
<thead>
<tr>
<th>Boston Office:</th>
<th>Springfield Office:</th>
</tr>
</thead>
<tbody>
<tr>
<td>One Ashburton Place - Rm. 601</td>
<td>436 Dwight Street, Room 220</td>
</tr>
<tr>
<td>Boston, MA 02108</td>
<td>Springfield, MA 01103</td>
</tr>
<tr>
<td>617-994-6000</td>
<td>413-739-2145</td>
</tr>
<tr>
<td><a href="mailto:assistanttochairman@state.ma.us">assistanttochairman@state.ma.us</a></td>
<td><a href="mailto:assistanttochairman@state.ma.us">assistanttochairman@state.ma.us</a></td>
</tr>
</tbody>
</table>

P. PERFORMANCE MANAGEMENT
All employees are expected to meet acceptable standards for work performance, punctuality, attendance, and personal conduct.

Department Heads will give regular feedback, as needed, to their employees. In addition, they will conduct performance appraisals annually using uniform standards to measure performance. Supervisors will use the performance system in a manner that equitably and fairly evaluates current strengths and weaknesses to ensure maximum future performance.

A Performance Appraisal System benefits both management and individual employees by:

- Recognizing an employee’s performance;
- Maintaining and improving performance;
- Providing a medium for personnel counseling;
- Facilitating proper decisions regarding probationary employees;
- Fostering fair and impartial personnel decisions;
- Providing an objective and fair means for measurement and recognition of individual performance; and
- Identifying training and professional development needs.

When an employee fails to conform to proper standards, that person should have, as stated below, notification and an opportunity to correct the deficiency. If performance does not improve, the disciplinary steps set forth in the policy below should be followed.
Supervisors are responsible for informing employees of standards, policies, and procedures. Supervisors will face problems as soon as they are identified. All problem situations will be reviewed with Human Resources at the earliest opportunity.

**Documentation**

Documentation serves as a guide to develop and improve employee performance. It also gives supervisors the opportunity to make employees aware of the positive and negative impact of their actions.

Generally, the following series of steps will be followed, although there will be circumstances which justify skipping steps, repeating steps, or proceeding to immediate termination.

**Step 1: Verbal alert for a first offense.** The supervisor and the employee discuss the performance problem and the steps needed for improvement. A memo detailing the date of the meeting is completed and is kept by the department head. This note may be sent to Human Resources either when the verbal warning is presented or when the corrective action warning is given, as a form of back-up documentation.

**Step 2: Corrective action warning for a second offense or a serious first offense requiring more than a verbal alert.** All corrective action warnings are reviewed by Human Resources before being presented to the employee. The supervisor meets with the employee and, if desirable, with Human Resources. A corrective action warning becomes a permanent part of an employee’s personnel file.

The supervisor and staff member review the performance problem and identify the steps necessary to correct it. The supervisor reviews the following points and includes them in the written warning:

- Statement of performance problems;
- Necessary corrective action discussed;
- Restatement of prior counseling; and
- Description of the next step in the process

**Step 3: Final warning.** If a problem continues, a final written warning is issued. The warning must be reviewed by the Human Resources Director before it is presented to the employee.

A meeting must be arranged with the employee, the supervisor and the Human Resources Director. The purposes of this meeting are to:

- Review the performance problem;
- Identify necessary corrective action;
- Attempt to resolve any underlying problems interfering with the employee’s ability to correct the performance problem;
- Restate prior counseling; and
- Clearly state that the next step is termination
**Step 4: Recommendation for release.** If the desired improvements do not occur, the supervisor has no choice other than to recommend that the employee be terminated.

**Immediate Release**

In certain situations, the supervisor may believe that immediate termination is warranted or that some of the steps set forth above should not be used. These cases must be referred to Human Resources for immediate review.

**Multiple Problems**

Some employees may have more than one performance problem at a time. It is not necessary to handle each situation as though it were a single unrelated incident. Repeated infractions of different policies often point out a general inability or deliberate refusal to follow policy. These situations should be brought to the attention of Human Resources.

Those employees covered under Civil Service Laws have certain rights, including written notification, hearings, and rights of appeal in cases of transfer, abolition of position, demotion, removal, discharge, lay-off, or suspension. Employees covered by Civil Service should consult Sections 41 through 46 of Chapter 31 of the Massachusetts General Laws.

Employees covered under a specific Collective Bargaining (Union) Agreement may have different or additional procedures that apply to disciplinary actions and should therefore consult their respective agreements for provisions relative to discipline.

**Q. CITY PROPERTY**

Office space, furniture, equipment, vehicles, computers, and all other materials provided by the City to assist you in your work are City property. It is your responsibility to become familiar with the proper use of this property and to assure that it is maintained as needed. City property should not be abused, misused or removed from the premises without proper authorization. The City has the right to inspect any City property issued to you at any time.

**R. WEAPONS AND VIOLENCE FREE WORKPLACE**

It is the City’s policy to promote a safe environment for its employees. The City is committed to working with its employees to maintain a work environment free from violence, threats of violence and other disruptive behavior. Employees who commit such acts may be removed from the property and may be subject to disciplinary action (up to and including termination), criminal penalties, or both.

To ensure that the City of Melrose maintains a workplace safe and free of violence for all employees, the City prohibits the possession or use of dangerous weapons on city property.

All City of Melrose employees are subject to this provision, including contract workers and temporary employees as well as visitors and customers on company property. The only exception is Melrose Patrol Officers who carry weapons in the course of employment). A license to carry weapons on city property does not supersede city policy.
Any employee in violation of this policy will be subject to disciplinary action, up to and including termination.

“Company property” is defined as all city-owned or leased buildings and surrounding areas such as sidewalks, walkways, driveways and parking lots under the city’s ownership or control. This policy applies to all city-owned or leased vehicles and all vehicles that come onto city property.

“Dangerous weapons” include firearms, explosives, knives and other weapons that might be considered dangerous or that could cause harm. Employees are responsible for making sure that any item possessed by the employee is not prohibited by this policy.

The City reserves the right at any time and at its discretion to search all city-owned or leased vehicles and all vehicles, plus packages, containers, briefcases, purses, lockers, desks, enclosures and persons entering its property, for the purpose of determining whether any weapon is being, or has been, brought onto its property or premises in violation of this policy. Employees who fail or refuse to promptly permit a search under this policy will be subject to discipline up to and including termination.

We need your cooperation to maintain a safe work environment. Do not ignore violent, threatening, intimidating, or other disruptive behavior or any other violations of City policy. If you observe or experience such behavior by anyone, whether the individual is a City employee or not, report it immediately to a supervisor or manager. Employees may also report such behavior to Human Resources or the Mayor’s Office. Supervisors and managers who receive such reports should seek advice and assistance from the Director of Human Resources immediately.

S. REFERENCES AND RECOMMENDATIONS
All requests for recommendation and references must be made through the Human Resources Department. If you are contacted by an individual outside the City and asked to provide information regarding either a current or former employee, you should refer the inquiry to the Human Resources Department.

It is the City’s policy, when contacted for a reference in behalf of an employee or former employee, to only confirm the dates of employment and positions held. Any employee or former employee, who wishes to allow the release of more information, must contact the Human Resources Department and provide a written authorization for the release of information.

SECTION 2. PAID TIME OFF ACCRUALS/LEAVES
The City of Melrose provides employees with paid time off accruals and other leaves as defined in this section. Paid and unpaid time off is managed by department heads in cooperation with the Human Resources Department. Employees will request and schedule Paid Time Off and Leaves with their supervisors. In turn Department Heads and their payroll clerks will report paid time off accruals used by their employees on a weekly basis for accrual time used during that week. The proper and timely reporting of accruals used
is mandatory. The improper reporting of accruals used will not be tolerated and taking time out of the office and not reporting it will not be tolerated.

In the event employees are unable to come to work for weather related reasons, and City Offices are open, employees must use either accrued personal time or accrued vacation time. Sick time may only be used in the event that you are ill.

Paid time off accruals (including vacation and personal days, holidays and sick leave) are pro-rated upon hire for the first year of employment and are subsequently awarded annually on January 1.

A. VACATION

New full-time, non-union employees will receive 35 hours/one week vacation during the first twelve months of employment. This vacation time cannot be used until the employee has completed six months of continuous employment. New employees may take up to one week vacation time prior to their six month anniversary under certain situations. Requests must be made in writing to the Department Head for approval. The approved request will then be forwarded to the Human Resources Department.

On the date of their first year anniversary, new employees will receive prorated vacation time to be used before January 1 according to the following schedule:

<table>
<thead>
<tr>
<th>Anniversary Month</th>
<th># of Days</th>
</tr>
</thead>
<tbody>
<tr>
<td>January</td>
<td>10</td>
</tr>
<tr>
<td>February</td>
<td>10</td>
</tr>
<tr>
<td>March</td>
<td>10</td>
</tr>
<tr>
<td>April</td>
<td>9</td>
</tr>
<tr>
<td>May</td>
<td>8</td>
</tr>
<tr>
<td>June</td>
<td>7</td>
</tr>
<tr>
<td>July</td>
<td>6</td>
</tr>
<tr>
<td>August</td>
<td>5</td>
</tr>
<tr>
<td>September</td>
<td>4</td>
</tr>
<tr>
<td>October</td>
<td>3</td>
</tr>
<tr>
<td>November</td>
<td>2</td>
</tr>
<tr>
<td>December</td>
<td>1</td>
</tr>
</tbody>
</table>

Thereafter, the new employee shall receive his/her allotment of vacation days on January 1 of each calendar year according to the following:

<table>
<thead>
<tr>
<th>Duration of Service</th>
<th>Vacation Time</th>
</tr>
</thead>
<tbody>
<tr>
<td>One year of continuous service but less than four years</td>
<td>Two weeks/ (70 Hours)</td>
</tr>
<tr>
<td>Four years of continuous service but less than eight years</td>
<td>Three weeks/ (105 hours)</td>
</tr>
<tr>
<td>Eight years of continuous service but less than fifteen years</td>
<td>Four weeks/ (140 hours)</td>
</tr>
<tr>
<td>Fifteen years of continuous service</td>
<td>Five weeks</td>
</tr>
</tbody>
</table>
Note: Part-time benefit eligible employees will receive prorated vacation time according to the number of hours worked per week.

All requests for vacation must be approved by the employee’s Department Head to allow sufficient coverage within each department or office.

Non-union employees are allowed to automatically carry over a maximum of two weeks’ vacation from one calendar year to another. The carryover vacation time must be used no later than August 31, or the employee loses that time.

Employees covered under a specific Collective Bargaining (Union) Agreement should consult their respective agreements as it relates to their maximum vacation carryover amount and vacation allowance.

B. HOLIDAYS
Following is a list of Holidays for all employees, except those covered by a Collective Bargaining (Union) Agreement:

- New Year’s Day
- Martin Luther King Day
- President’s Day
- Patriot’s Day
- Good Friday
- Memorial Day
- Independence Day
- Labor Day
- Columbus Day
- Veterans’ Day
- Wednesday before Thanksgiving - offices close at 12:30 PM
- Thanksgiving Day
- Friday immediately following Thanksgiving
- Christmas Day

Employees who need to accommodate their individual religious beliefs may substitute two (2) of the above-listed holidays; these will be known as “Floating Holidays”. A Floating Holiday must be scheduled with the department heads’ approval, given at least two (2) weeks’ notice and at times mutually agreeable to employees and their supervisors. The employee is expected to work on site (not from home).

If one of the designated holidays falls on a Saturday, City Hall will be closed on Friday. If the Holiday falls on Sunday, City Hall will observe the holiday on Monday.

Employees who are union members may have different holiday allowances and should consult their specific Collective Bargaining (Union) Agreements to determine their allowed holidays.
C. LEAVES
Sick Leave
Sick Leave accruals are a benefit available to employees in the event of their legitimate illness and are not to be used for any other purpose.

When ill, it is important to inform your supervisor as soon as possible. Please speak with your Department Head to ensure you follow department call-in procedures.

Employees may be required to obtain a doctor’s certificate verifying illness or injury, before the employee shall be entitled to sick leave as herein provided.

Department Heads may require that a physician’s note be submitted under certain circumstances including: sick days taken just before or after a scheduled vacation; sick days taken on weekend shifts, sick days taken after the employee has received a written warning from the Department Head regarding sick leave abuse and sick leave taken after three consecutive days.

In the event of a serious health condition, or a circumstance which requires hospitalization, the City requires a fit for duty certificate from the employee’s doctor prior to returning to work. It is the City’s intent to ensure that the employee’s job will not exacerbate the condition or negatively impact the employee upon their return.

Sick Accruals
Full-time non-union employees shall accrue sick leave at the rate of 1 1/12 days per month of service (maximum of 13 per year), one (1) of which may be donated to fund a Sick Leave Bank. Any sick days used prior to completing six (6) months of service shall be paid back by the employee (deduction from paycheck) in the event that the employee quits or is terminated prior to completing six (6) months of service. Part-time non-union employees, who work a minimum of 20 hours per week, shall be entitled to a pro-rated amount of sick time, according to the number of hours worked per week.

Sick leave time, which is unused in any particular year, may be accumulated for use in any subsequent year up to a maximum accumulation of two hundred (200) days.

Upon receiving the maximum accumulation of sick leave all additional time shall be donated to the funding of the Sick Leave Bank. Any sick leave used during the subsequent year shall be subtracted from the maximum days. In no event will an employee be allowed to accumulate more than the maximum.

Examples (Assumes 200 maximum)
(a) Employee has 192 days accumulated at the end of 16 years of service. S/he goes into the 17th year with 200 (8 new days). If during the 17th year the employee is out sick 5 days, s/he would end the year with 195 days accumulated
(b) Employee has 200 days accumulated after 17 years of service. S/he goes into the 18th year with 200. If during the 18th year the employee is out sick 15 days, s/he would end the year with 185 days accumulated.

Whenever employment is terminated by death or retirement, in accordance with M.G.L. Chapter 32, after 20 or more years of continuous service in his/her department, such employee shall receive, subject to the conditions hereinafter provided, 25% of his/her unused accumulated sick leave days, up to a maximum of $4,000. For the purposes of this section, a “day” shall mean 1/5th of the employee’s regular weekly rate of pay at the time of said retirement or death.

SICK LEAVE BANK
Effective January 1, 1996, a Sick Leave Bank was established for all permanent members of the Bank, as defined below, whose accumulated sick leave is exhausted due to a their own prolonged illness or injury.

Once an employee accumulates twenty (20) days of sick leave during a calendar year (calculated on December 31), the employee shall, on the following day, January 1, be considered a “Permanent Member” of the Bank. The employee shall remain a member of the Bank and is entitled to all benefits and subject to all the obligations thereof regardless of the number of sick days thereafter accumulated.

Each permanent member of the Bank shall donate one (1) sick leave day each year on January 1 to fund the Sick Leave Bank, except in the case where an employee enters the new calendar year with the maximum accumulated number of sick leave days which is two hundred days (200). In this case, the employee shall donate his entire 12 earned sick days for the subsequent year to the Sick Leave Bank for use by any permanent member. Part-time non-union employees working at least 20 hours per week shall be included in this Bank on a pro-rated basis.

The Sick Leave Bank shall be administered by a Sick Leave Bank Committee consisting of three (3) members: the Human Resources Director, the Human Resources Manager and a third person to be appointed by these two City Officials. Application for benefits shall be made in writing on the appropriate application form to the Sick Leave Bank Committee accompanied by a doctor’s certificate as to the need for and anticipated extent of recovery time.

The Sick Leave Bank Committee shall determine the eligibility for use of the Bank and the amount of leave to be granted, if any. All decisions with respect to eligibility and entitlement shall be by majority vote and shall be final and binding and not subject to appeal.

The following criteria shall be used by the Sick Leave Bank Committee in administering the Bank and in determining eligibility and amounts of leave:

- Adequate medical evidence of serious illness
- Prior utilization of all eligible sick leave
- Appropriate use of sick leave (indicative of current or prior abuse of sick leave)
- Length of service
The initial grant by the Sick Leave Bank Committee shall not exceed fifteen (15) days.

No days may be withdrawn from the Sick Leave Bank for use for any illness other than employee’s prolonged illness (not including a work related injury). Days may not be withdrawn to permit the individual to stay at home to care for other members of the family.

**Sick Leave Incentive**

Non-Union employees shall be reimbursed for unused sick time, regardless of whether they are Permanent Members of the Sick Leave Bank, providing they are actively employed on December 31, in accordance with the following calculation schedule. The incentive will be calculated based on the sick time earned within the current calendar year. The employees’ “accumulated” days from previous years will not be considered in calculating the incentive. Payments shall be made no later than February 15 of each year.

Employees receiving payment hereunder shall not have their sick accruals charged.

<table>
<thead>
<tr>
<th>If employee uses:</th>
<th>Less than 24.9% of available sick days (0 to 2.9 days/0 to 20.9 hours)</th>
<th>Receives $50.00/day for remaining unused days</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>between 25% - 49.9% of available sick days (3 to 5.9 days/21 to 41.9 hours)</td>
<td>Receives $40.00/day for remaining unused days</td>
</tr>
<tr>
<td></td>
<td>between 50% - 74.9% of available sick days (6 to 8.9 days/42 to 62.9 hours)</td>
<td>Receives $30.00/day for remaining unused days.</td>
</tr>
<tr>
<td></td>
<td>75% or more (9 to 12 days/63 to 84 hours)</td>
<td>Zero reimbursement</td>
</tr>
</tbody>
</table>

In all instances, the applicable percentages shall be rounded down.

**MEDICAL DAY**

One (1) day per year per employee will be granted to both full-time and part-time Non-Union employees for the purpose of providing medical support to immediate family members. This provision does not apply to an employee seeking medical attention for themselves. Medical days as described in this section are not cumulative and will not be subtracted from earned sick days.

Employees covered under specific Collective Bargaining (Union) Agreements should consult their respective agreements as it may relate to the provisions of this section.

**CANCER SCREENING LEAVE**

Effective October 4, 1999, the month of October was proclaimed “Breast Cancer Awareness Month”. As part of this campaign, and in order to promote the good health and well-being of employees, City Hall employees can use up to four hours of leave per
calendar year for various types of cancer screenings. This leave will not be charged to any accrued leave.

You will be required to submit to Human Resources a signed copy of a medical document verifying that you were given a cancer screening. Failure to submit a copy may result in a loss of compensation. The following types of cancer screening fall under this policy: breast, prostate, colon, skin, thyroid, oral cavity, lymph nodes, reproductive organs and lungs (this list is not exclusive).

Employees will be given one four-hour block that cannot be broken down into hourly units. We ask that before scheduling a doctor’s appointment for screenings, you speak with your supervisor to determine the best time to be away. Please note that any fees are the responsibility of the employees and/or their health insurance coverage.

ORGAN DONOR LEAVE
Part-time and full-time benefit eligible employees may qualify for up to thirty (30) days of paid Organ Donor Leave (leave) in a calendar year to serve as live organ donors in accordance with G.L. c. 149, section 33E. Live organ donation includes, but is not limited to, donation of a kidney, liver, pancreas, heart, lung or intestine. Bone Marrow Donation leave will be granted and said leave shall not exceed five days. The utilization of such leave cannot result in a loss or reduction in pay or in the loss of leave to which the employee is otherwise entitled (such as family and medical leave) and also may not result in the loss of credit for time or service. The Employee’s pay, accrued time and benefits will remain protected while on Organ Donor Leave.

The leave can be taken intermittently or all at once. In the event the need for such leave is foreseeable, at least seven (7) days’ advance notice should be provided to the Supervisor and Human Resources. If the leave is not foreseeable, the employee should give notice as soon as possible. Before the leave is granted, Employees will be required to provide a certification from a physician, and a detailed letter verifying the necessity for such leave. The certification will include the type of Organ donated, the date of the procedure and the expected length of recovery, and will be signed and faxed from the doctor’s office. Before returning to work, an employee will be required to provide a certification that they are able to resume their full duties. In the event the employee is out of work more than thirty days, they will be required to use accrued paid time off under the Family and Medical Leave.

PERSONAL LEAVE
Non Union Employees will be allowed to take three personal days per year. Personal Time is calculated 3/5 of your total weekly hours.

- If an employee is hired January 1 – April 30, the employee receives 3 personal days in that calendar year
- If an employee is hired May 1 – August 31, the employee receives 2 personal days in that calendar year
- If an employee is hired September 1 – December 31, the employee doesn’t receive any personal days in that calendar year
In the next calendar year after hire, the employee will receive three personal days per year. Personal days must be used in the year they are earned; they will not be transferred to the next calendar year.

**D. FAMILY AND MEDICAL LEAVE ACT**

Family and Medical Leave is an unpaid employee leave of absence. The Family and Medical Leave policy is integrated and included with Sick Leave, Vacation, or other paid leave policies.

**Eligibility**

An employee will be eligible to seek a Family and Medical Leave if (1) the employee has worked for the City for at least 12 months, and (2) the employee has worked for at least 1,250 hours during the 12 months before the leave. In some circumstances employees who do not meet these conditions may be eligible to take an eight-week leave for the purpose of giving birth to or adopting a child (as determined under the Parental Leave Policy).

**Types of Family and Medical Leave**

Employees may qualify for Family and Medical Leave for any of the following reasons:

- The birth, adoption or foster care placement of a child, and for the care of that child (leave must be completed within 12 months of the child's birth, adoption or foster care placement);
- To care for a seriously ill or injured spouse, parent, or child under age 18 (or child 18 years old or over who is incapable of self-care);
- Because of an illness or injury that makes the employee unable to perform his/her job.

**Military Caregiver Leave** (also known as Covered Service Member Leave)

Up to 26 weeks of leave in a single 12-month period to care for a covered service member recovering from a serious injury or illness incurred in the line of duty on active duty. Eligible employees are entitled to a combined total of up to 26 weeks of all types of FMLA leave during the single 12-month period.

**Qualifying Exigency Leave**

Up to 12 weeks of leave for certain qualifying exigencies arising out of a covered military member's active duty status, or notification of an impending call or order to active duty status, in support of a contingency operation, and the injury or illness must be a “serious health condition.” A “serious health condition” means any illness, injury or impairment that involves one or more of the following:

- inpatient hospitalization;
- continuing treatment by a health care provider due to incapacity caused by a health condition that lasts for more than three days and requires health care visits or continuing treatment;
- pregnancy or prenatal care;
- a chronic, serious health condition that requires periodic visits for health care; or
- a permanent or long-term condition requiring medical supervision.
**Notice and Scheduling of Leave**
An employee who plans to take leave because of planned medical treatment must make an effort to schedule the treatment to reduce the disruption to your department, subject to the health care provider's approval. In general, an employee should consult with his/her supervisor to explore alternatives. At least 30 days' written notice of the leave should be given to the Supervisor and Human Resources, whenever possible. If an employee cannot give the full amount of advance notice, s/he should give notice of the need for leave as soon as is practical.

**Confirmation of Leave**
Employees requiring leave must provide the Human Resources Director with the reason for the requested leave so that it can be determined that the employee qualifies for leave. After an employee gives notice of his/her intent to take a Family and Medical Leave, the Human Resources Director will give the employee a memorandum confirming receipt of the notice of the leave, which sets forth some of the basic procedures and responsibilities of both the employee and the City.

Employees requesting a leave for personal or family medical reasons are required to provide medical certification. Under most circumstances, medical certification must be provided within 15 calendar days. Further medical verification may be required during the leave, depending on the circumstances. Moreover, employees on leave may be contacted periodically for updates concerning their status and intent to return to work. Employees are expected to respond fully to such requests for updates.

**Length of Leave and Restoration Rights**
In general, an employee is entitled to a maximum of 12 weeks of Family and Medical Leave during any 12-month period. The 12-month period is a rolling period, measured backward from the date an employee last used any leave under this policy.

An employee will not be entitled to more favorable employment terms as a result of taking Family and Medical Leave. Thus, the employee will be subject to the same pay or benefit reductions or other adverse actions, including layoff that s/he would have experienced had s/he not been on a Family and Medical Leave.

**Certification Before Return**
Before an employee may return from a leave that has continued for at least five calendar days, the employee's health care provider may be required to certify that the employee is able to resume his/her job.

**Coordination with Available Paid Leave Time**
Family and Medical Leave is unpaid leave. To the extent that an employee has paid leave for unused sick, vacation or personal time available, it is City policy to require the employee to use the paid leave. Any use of available paid leave will run concurrently with, and not in addition to, the Family and Medical Leave.
Maintenance of Health and Other Benefits
During a Family and Medical Leave, the City will continue the employee's medical and life insurance coverage, provided that the employee pays the regular employee share of such coverage on a timely basis. During any paid leave, the employee share of the premiums will be deducted from the employee's pay. During the unpaid portion of a Family and Medical Leave, the employee will be required to pay the employee share, either prior to commencing unpaid leave, or through a special billing arrangement while on unpaid leave. The Human Resources Office should be contacted by the employee prior to going on unpaid leave to make the appropriate payment arrangements. If any payment due is more than 30 days late, the City may cease providing the benefits until the employee returns to work. Upon returning to work the employee will be reinstated to the insurance program back to the termination date and will be charged the total employee amount.

E. MA PREGNANT WORKERS FAIRNESS ACT
The City of Melrose is in compliance with the Massachusetts Pregnant Workers Fairness Act as codified by Chapter 54 of the Acts of 2017. The Act will provide needed and reasonable accommodations to pregnant workers. For further information please see Human Resources Department.

F. PARENTAL LEAVE
The City of Melrose grants both male and female employees parental leave in accordance with the provisions of MGL Chapter 149; Section 105D. Employees having successfully completed three (3) consecutive months of benefit eligible service and who intend to return to employment shall be granted eight (8) weeks of unpaid parental leave without loss of seniority or benefits for the purposes of giving birth, becoming a Father, adopting a child under age eighteen (18) or under age twenty-three (23) if the child is mentally or physically disabled. If two employees are using leave for the same child, the two employees are entitled to an aggregate of 8 weeks of leave.

Notice to the Employer:
Employees requesting leave pursuant to this policy must notify the City at least two (2) weeks prior to anticipated leave however, as much notice as possible is preferable. This leave will not affect the employee's rights to receive vacation time, sick leave, advancement or other benefits for which s/he was eligible at the date of his/her departure.

Accruals while on Parental Leave:
Employees are not required but may use their full weekly accrued paid time off during Parental Leave (sick, personal and vacation time).

Intermittent Parental Leave:
Employees may take Intermittent Leave under this policy with the approval of their supervisor and as long as it doesn’t interfere with department operations. Use of Intermittent Parental Leave shall not exceed 12 weeks from the onset of the leave.
Family and Medical Leave and Parental Leave:
In the event that an employee is eligible for both FMLA and parental leave, that employee’s leave will be charged to both forms of leave simultaneously. In this circumstance, should an employee choose to be unpaid during the eight (8) week parental leave, they will be required to use paid time off during the FML portion of their leave as defined in the Family and Medical Leave Policy.

Benefits While on Parental Leave:
In the event an employee chooses unpaid parental leave, the employee must notify the HR Department in writing (as much notice as possible is preferable) so that we may manage benefit deductions. The City will double or triple deduct fringe benefit premiums (health, life, dental insurance, disability, pet and FSA) from his or her paycheck prior to the leave. If an employee uses their paid time off accruals, deductions will continue on a weekly basis as they normally do.

Within 60 days of the event, employees must notify the Human Resources Department when their child arrives and forward their birth certificate and/or adoption decree along with their child’s social security number and birthdate so that their child may be added to their health insurance. Employees must also complete the GIC Enrollment Change Form-1 and submit it to the HR Department.

Upon expiration of parental leave, employees will be restored to the same or a similar position.

G. BEREAVEMENT LEAVE
In the event of death in the immediate family of an employee, he/she shall be granted leave with pay at the straight-time rate on the day of the funeral if the funeral occurs on a workday, and for a maximum of two additional workdays falling between the day of death and the day of the funeral. “Immediate family” of an employee is defined as spouse, mother, father, son, daughter, grandparents, brother, sister, mother-in-law, father-in-law, son-in-law, daughter-in-law, grandchild or household member. Further, an employee shall be granted leave with pay at the employee’s straight hourly rate on the day of the funeral to attend the funeral of the following relatives: sister-in-law, brother-in-law, niece, nephew, aunts or uncles.

H. MILITARY LEAVE AND TRAINING
The City of Melrose complies with G.L. c. 33, §59 as adopted through Order No. 00-309 on April 18, 2000, other city ordinances and the Uniformed Services Employment and Reemployment Act (USERRA) relative to compensation and benefits in the event employees are called to military duty.

Employees anticipating Military Leave or Training should review the Document entitled Policies/Procedures Regarding Pay and Benefits While on Military Active Duty & Training and follow the “Outprocessing Checklist for Employees Going on Military Leave” and complete the “Notice to Employer Military Active Duty Absence.”
These documents are located on the HR Self-Serve Intranet, Human Resources Department web page and the Veterans’ Services web page at www.cityofmelrose.org, or may be obtained from Human Resources.

I. JURY DUTY AND COURT LEAVE POLICY
Employees, who are called for jury duty or are summonsed as a witness in connection with a federal or state court proceeding (other than Police Officers who are required to appear in connection with their official duties) will be granted Jury Duty or Court Leave, in accordance with applicable law. The employee must notify his or her supervisor or department head at the earliest possible date prior to the start of their civic responsibility. The employee is responsible for submitting proof of juror service to their Department Head.

Court Leave will not be granted if the employee is the defendant, or is engaged in personal litigation unless the litigation arose from the performance of his or her job responsibilities. Jury Duty/Court leave shall not affect any employment rights of an individual.

Compensation of Employed Jurors for First Three (3) Days of Juror Service
In accordance with the Massachusetts jury statute, M.G.L., c. 234A, Section 48, each regularly employed trial or grand juror shall be paid regular wages by his or her employer for the first three days, or part thereof, of juror service. Regular employment includes: full-time, part-time, temporary and casual employment.

Juror Compensation - 4th Day of Service Onward
For Trial Jurors Only: Upon the fourth day and every day thereafter, the Commonwealth of Massachusetts compensates trial jurors at a rate of $50.00 per day.

For Grand Jurors Only: The amount of compensation grand jurors are paid by the Commonwealth, for the 4th day and every day thereafter, is determined by the court but may not exceed $50.00 per day.

Compensation from the City
If Trial Jury service and Grand Jury service exceeds three (3) days of court service, the city will pay the difference between the employee's regular pay and the amount received from the Commonwealth. The employee retains any expenses paid by the Commonwealth for travel, meals, room, or incidentals. The employee's pay statement from the City will show his or her regular gross wages and the dollar amount of juror compensation subtracted from the wages.

Reporting to Work if Excused from Jury Duty
An employee who is excused from service by the court, is expected to work at the City if there is a minimum of three and one-half (3.5) hours remaining in the employee's regular work day.
Proof of Service
As evidence of having performed juror service, individuals receive two (2) copies of the Juror Service Certificate from the Office of the Jury Commission each week of service. The Certificate also lists any compensation paid to the juror. Employees must submit one copy of each Certificate received to their Department Head in a timely fashion.

Harassment by Employer; Penalties and Enforcement
Under Massachusetts law it is unlawful for an employer to deprive a juror-employee of his or her employment or any incidents or benefits thereof, or to harass, threaten, or coerce an employee because the employee has received a juror summons. An employer shall not impose compulsory work assignments upon any juror-employee nor shall the employer do any other intentional act which will substantially interfere with the availability, effectiveness, attentiveness, or peace of mind of the employee during the performance of his juror service.

Employees covered under specific Collective Bargaining (Union) Agreements should consult their respective agreements relative to provisions of this section.

J. SMALL NECESSITIES LEAVE ACT
The Small Necessities Leave Act allows employees who meet the requirements to be eligible for FMLA a total of 24 hours of unpaid leave per year (defined in Melrose as a rolling year) in order to:

- Participate in school activities directly related to the educational advancement of his/her child, such as parent-teacher conferences
- Accompany his/her child to routine medical or dental appointments
- Accompany an elderly relative to routine medical or dental appointment or for other professional services related to the elder’s care

Employees who wish to use SNLA leave must make a written request to their supervisor at least 7 days in advance. If it is not possible to give 7 days advance notice, then the employee must give as much notice as possible.

The City requires employees who have available vacation or sick time to substitute that time for all SNLA requested time.

SECTION 3. FRINGE BENEFITS

A. HEALTH INSURANCE
The City of Melrose offers comprehensive Health Insurance plans to benefit eligible employees. Please visit the Human Resources Department for information about Plan Options, Rates, Eligibility Requirements, Co-Pays and Enrollment.

Employer/Employee Contribution
For an HMO/PPO plan, the City will pay 84% of the premium on a monthly basis while the employee will pay 16% of the total monthly premium. For the Indemnity Plan, the City will pay 60% of the premium on a monthly basis, while the employee will pay 40% of the monthly premium.
A new employee has ten (10) days from his/her hire date to enroll. The City requires 30 days advance payroll deductions for any new enrollment.

New employees may enroll in health insurance on the 1st day of the month after 60 days of initial employment. If an employee does not select a plan during this time, s/he must wait until the Annual Open Enrollment Period to join. This Open Enrollment Period runs from mid April through mid-May of each year, with an effective date of July 1.

New employees may be entitled to contributions from the City of Melrose during the 60 day waiting period. Please visit the Human Resources Department for information about the Hiatus Period.

Employees are required to submit Health Insurance information, name changes, change of address or changes in dependent status to the Human Resources Department.

B. LIFE INSURANCE

Basic Life Insurance
The City offers a $10,000 Basic Life Insurance policy for all employees who work at least 20 hours a week and are enrolled in the City’s Retirement Plan or the Massachusetts Teachers’ Retirement System. This Basic Life Insurance policy is only available to City employees; it is not available to the spouse or dependents of employees.

A new employee has ten (10) days from his/her hire date to enroll. If the employee chooses to enroll at a later date, the insurance carrier requires the employee to submit to a complete physical examination at the employee’s expense.

There is a 75% Employer, 25% Employee contribution for the Basic Life Insurance coverage. The City requires 30 days advance payroll deduction for new enrollment.

Information, enrollment, change of address or beneficiaries are handled in the Human Resources Office, 2nd floor, City Hall.

Voluntary Life Insurance
To qualify for Voluntary Life Insurance, an employee must be enrolled in Basic Life Insurance.

Voluntary Life Insurance, starting at $5,000 up to $300,000, is available to new employees but there is no City contribution for this insurance. Again, the City requires 30 days advance payroll deduction for new enrollment.

The Human Resource’s Office has additional information and enrollment forms for the Voluntary Life Insurance program.

C. SECTION 125 - CAFETERIA PLAN
Section 125 plans, also known as “Cafeteria Plans,” are designed to help you realize tax savings while paying your portion of health insurance premiums. The City offers a
Section 125 – Cafeteria Plan to all employees who are eligible for health insurance. New employees have 30 days from their date of hire to enroll in the Cafeteria Plan or they must wait until the Group Health Annual Open Enrollment Period to join.

The Plan allows employees to purchase their medical benefits on a pre-tax basis. By taking advantage of this program, you may use pre-tax dollars to pay your portion of health insurance premiums; these are premiums which you would otherwise pay on an after tax basis.

You may elect whether or not to participate in the Plan during the annual open enrollment period. If you elect to participate for purposes of paying your employee contributions to our group medical plan on a pre-tax basis, your salary/wages will be reduced each pay period by the amount of your employee contribution requirement. As required by law, you will continue to receive a statement of your taxable compensation earned through your employment (W-2). The amount indicated as salary or wages will be the reduced amount. Your participation in this program is strictly voluntary. You will receive enrollment forms for this plan.

D. COBRA
In 1996, a Federal law was enacted (Public Law 99-272, Title X), known as ‘COBRA” requiring that most employers sponsoring group health plans offer participating employees and their families the opportunity for a temporary extension of health coverage (called “Continuation Coverage”) at group rates in certain instances where coverage under the employer’s plan would otherwise end.

You and your dependents are eligible to continue Group Health Insurance for up to eighteen (18) months when the termination of insurance is due to a reduction in your work hours, lay-off or voluntary termination of your employment with the City. There are also provisions allowing your spouse and dependent children Continuation Coverage for up to 36 months. The qualifying events allowing your spouse or dependent children the right to Continuation Coverage include your death, divorce or legal separation.

The cost of Continuation Coverage is paid for in full by the individual. You should contact the Human Resources Department for more information about COBRA benefits.

E. RETIREMENT BENEFITS
All employees (except School Teachers and some school professional employees) who work at least 20 hours per week must be members of the Melrose Retirement System which is part of the statewide retirement system for state, county, and municipal employees. Because it is a statewide system, employees do not have Social Security deducted from their earnings. Although City employees do not have FICA or Social Security deductions, there is a federal Medicare tax requirement from all governmental employees hired after April 1, 1986.

Employees hired after July 1, 1996 will have 9% deducted from their regular compensation. Employees hired after January 1, 1979 will have an additional 2%
deducted from their regular compensation for any amount over $30,000. All deductions are tax deferred.

Any employee working less than 20 hours per week must have deductions withheld at 7.50% for a 403 (b) plan. This plan is overseen by the State Treasurer’s Office.

An employee will be vested after a minimum of ten years of creditable service for retirement. Retirement Benefits are based on age, length of service, and an average of the employee’s three highest consecutive year’s salary. The system also has provisions for disability retirement.

If an employee leaves the City a request may be made for the return of deductions. Such refund would be taxed. Funds may also be rolled over to an eligible qualified plan with no penalty.

The rights and responsibilities of the City and its employees under the Melrose Retirement System may be amended from time to time based on changes in applicable federal and state laws.

All employees are encouraged to visit the Retirement Office to have their individual needs met.

F. CREDIT UNION
The Melrose School & Municipal Employees Federal Credit Union offers employees an opportunity for regular savings through automatic payroll deduction. Employees should contact the Credit Union for any changes they wish to make through Direct Deposit. The Credit Union is operated by a board elected by employees from within the membership. The board is authorized to make policies and to manage the Credit Union in accordance with federal regulations. Information and forms are available at the Credit Union Office.

The Credit Union operates independently of the City of Melrose, and the City of Melrose does not operate to guarantee or insure deposits made in the Credit Union.

Employees covered under specific Collective Bargaining (Union) Agreements should consult their respective agreements relative to the provisions of this section.

G. LONGEVITY COMPENSATION
In order to show its appreciation for the efforts of its employees who are not subject to collective bargaining agreements, the City has established a bonus that is added to the annual compensation of full time employees who have worked for the City continuously for at least 5 years. The following schedule reflects the longevity bonus that is available for all non-union employees who meet these longevity requirements:

<table>
<thead>
<tr>
<th>Years of Continuous Service</th>
<th>Annual Lump Sum Compensation</th>
</tr>
</thead>
<tbody>
<tr>
<td>5 years, but less than ten 10 years</td>
<td>$ 775.00</td>
</tr>
<tr>
<td>10 years, but less than 15 years</td>
<td>$ 975.00</td>
</tr>
<tr>
<td>15 years, but less than 20 years</td>
<td>$ 1,175.00</td>
</tr>
<tr>
<td>Years</td>
<td>Longevity Allowance</td>
</tr>
<tr>
<td>------------------</td>
<td>---------------------</td>
</tr>
<tr>
<td>20 years, but less than 25 years</td>
<td>$1,530.00</td>
</tr>
<tr>
<td>25 years, but less than 29 years</td>
<td>$1,950.00</td>
</tr>
<tr>
<td>29 years or more</td>
<td>$2,500.00</td>
</tr>
</tbody>
</table>

Regular, part-time, non-union employees, who work a scheduled twenty (20) hours per week or more, shall be entitled to longevity payments listed herein on a pro rated basis.

The determination of an employee’s length of service shall be based upon the number of full years of continuous service, to be computed as of December 31st of the allowance year. Payment may be made at any time during December of each year except that an eligible employee shall receive a pro-rated longevity allowance when an employee terminates his/her employment with the City. Said proration shall be based upon the time from the preceding December 31st of the allowance year to the date of his/her termination.

Employees who are members of a union should consult their specific Collective Bargaining (Union) Agreement to determine whether they are eligible for a longevity bonus.

**H. FLEXIBLE SPENDING ACCOUNT**

Employees who are benefit eligible and who have been employed for a minimum of ten months are entitled to enroll in a Flexible Spending Account (FSA) administered by Sentinel Benefits that allows you to withhold pretax dollars from your paycheck to pay for out-of-pocket health related and dependent care expenses. You decide how much to contribute and whether to participate in the Healthcare FSA, Dependent Care FSA, or both. When you incur an eligible expense, you simply submit a claim to Sentinel Benefits for reimbursement or use a FSA debit card. The City of Melrose and Sentinel Benefits does the rest. We automatically deduct the amount you elect from your paycheck pre-tax. Sentinel Benefits processes reimbursement benefits weekly via direct deposit or by mailing you a check. To protect your privacy, your claim records are kept confidential by Sentinel Benefits.

Eligible out-of-pocket expenses include but are not limited to doctor visit co-pays, eyeglasses, dental visits, contact solution, allergy prevention & treatment, cold remedies, childcare, babysitters, after-school care, day camps.

Money in a flex spending account is exempt from federal, state and payroll taxes. Using pre-tax dollars can reduce your out-of-pocket cost by a third or more.

Benefit and enrollment information is available in the Human Resources Department. Enrolling is very simple and may be done on-line either from home or the office. Currently enrolled employees must re-enroll annually during open enrollment. Please contact the Human Resources Department for more information about the FSA.
SECTION 4. OTHER CITY EMPLOYEE CONSIDERATIONS

A. CONFLICT OF INTEREST
The Conflict of Interest Law as Amended by c. 194, Acts of 2011 requires all city employees to complete conflict of interest training. This includes receiving a copy of the summary of the conflict of interest law once each year in December. Employees must file an acknowledgment of receipt of the summary with the City Clerk.

Every two years each employee must complete on-line training and file a certificate of completion with the City Clerk. New employees must file the acknowledgment of receipt of the summary and the certificate of completion of the on-line training with the City Clerk within thirty days of employment. The burden is on the employee to comply with the State ethics law, including filing the acknowledgment and the certificate.

The Summary of the Conflict of Interest Law is on the Ethics Commission website (www.mass.gov/ethics). For the on-line training, go to www.muniprog.eth.state.ma.us. The on-line training takes approximately 45 minutes. Be sure to print out the certificate at the end of the session. Department Heads or Commission/Board Chairpersons will be responsible to keep a list of the certificates for his or her department and provide certificates to City Clerk’s Office.

Ignorance of the law is no excuse!

It is a City policy, and the duty of each employee to comply fully with all laws governing the areas in which we conduct City business from local ordinances to state and federal statues. The City Solicitor should be consulted for guidance if there are any doubts in the propriety of any of our actions.

Chapter 268A of the General Laws governs your conduct as a public official or employee. Below are some of the rules that you must follow. You could face civil and criminal penalties if you take a prohibited action.

In general, you may NOT:

- Ask for or accept anything (regardless of its value), if it is offered in exchange for your agreeing to perform or not perform an official act
- Ask for or accept anything worth $50.00 or more from anyone with whom you have official dealings
- Hire, promote, supervise, or otherwise participate in the employment of your immediate family or your spouse’s family
- Take any type of official action which will affect the financial interests of your immediate family or your spouse’s immediate family
- Take any official action affecting your own financial interest, or the financial interest of a business partner, private employer, or any organization for which you serve as an officer, director, or trustee
- Unless you qualify for an exemption, have more than one job with the same municipality or county, or more than one job with the state
• Except under special circumstances, have a financial interest in a contract with your public employer
• Represent anyone but your public employer in any matter in which your public employer has an interest
• Ever disclose confidential information, data or material which you gained or learned as a public employee
• Unless you make a proper public disclosure—including all the relevant facts—take any action that could create an appearance of impropriety or could cause an impartial observer to believe your official actions are tainted with bias or favoritism
• Use your official position to obtain unwarranted privileges, or any type of special treatment, for yourself or anyone else
• Use public resources for political or private purposes
• After leaving public service, take a job involving other public contracts or any other particular matter in which you participated as a public employee

“Whenever you do a thing . . . ask yourself how you would act were all the world looking at you, and act accordingly.” Thomas Jefferson

B. CORI POLICY

Where Criminal Offender Record Information (CORI) checks are part of a general background check for employment, volunteer work or licensing purposes, the following practices and procedures will generally be followed:

I. CORI checks will only be conducted as authorized by CHSB. All applicants will be notified that a CORI check will be conducted. If requested, the applicant will be provided with a copy of the CORI policy.

II. An informed review of a criminal record requires adequate training. Accordingly, all personnel authorized to review CORI in the decision-making process will be thoroughly familiar with the educational materials made available by CHSB.

III. Unless otherwise provided by law, a criminal record will not automatically disqualify an applicant. Rather, determinations of suitability based on CORI checks will be made consistent with this policy and any applicable law or regulations.

IV. If a criminal record is received from CHSB, the authorized individual will closely compare the record provided by CHSB with the information on the CORI request form and any other identifying information provided by the applicant, to ensure the record relates to the applicant.

V. If the City of Melrose is inclined to make an adverse decision based on the results of the CORI check, the applicant will be notified immediately. The applicant shall be provided with a copy of the criminal record and the organization’s CORI policy, advised of the part(s) of the record that make the individual unsuitable for the position or license, and given an opportunity to dispute the accuracy and relevance of the CORI record.

VI. Applicants challenging the accuracy of the policy shall be provided a copy of CHSB’s Information Concerning the Process in Correcting a Criminal
**Record.** If the CORI record provided does not exactly match the identification information provided by the applicant, the City of Melrose will make a determination based on a comparison of the CORI record and documents provided by the applicant. The (organization name) may contact CHSB and request a detailed search consistent with CHSB policy.

**VII.** If the City of Melrose reasonably believes the record belongs to the applicant and is accurate, based on the information as provided in section IV on this policy, then the determination of suitability for the position or license will be made. Unless otherwise provided by law, factors considered in determining suitability may include, but not be limited to the following:

(a) Relevance of the crime to the position sought;
(b) The nature of the work to be performed;
(c) Time since the conviction;
(d) Age of the candidate at the time of the offense;
(e) Seriousness and specific circumstances of the offense;
(f) The number of offenses;
(g) Whether the applicant has pending charges;
(h) Any relevant evidence of rehabilitation or lack thereof;
(i) Any other relevant information, including information submitted by the candidate or requested by the hiring authority.

**VIII.** The City of Melrose will notify the applicant of the decision and the basis of the decision in a timely manner.

**IX.** Any employee of the City of Melrose hired before the effective date of this policy, whose position requires cash handling, unmonitored interaction with children, senior citizens, or individuals with disabilities may also be subject to a CORI check. If a CORI check conducted on a current employee determines that a said employee is unfit to perform his/her duties, based upon convictions that bear directly on his/her specific position, said employee may be subject to discipline up to and including termination.

**X.** Employees shall inform their Department Head of any changes in their Criminal History Record after their initial CORI check is executed by the City of Melrose.

**C. SENSITIVE AND PERSONAL INFORMATION**

All City employees who have access to, or knowledge of, sensitive and personal information are not at liberty to disclose said information without proper authority from their immediate supervisor or Department Head. Inappropriate release of such information could subject both the City and the employee to either a civil and/or criminal lawsuit. Included within this policy is the release of information by any means including but not limited to computers, fax machines or similar electronic equipment, information on paper, and information shared orally in person or by telephone.

All City of Melrose information is categorized into two classifications: public and personal. Public information has been declared public knowledge by MA General Laws and can freely be given to anyone without any possible risk to the City of Melrose. Personal information, as defined by MA General Laws Chapter 93H, must be protected in a secure manner and also includes but is not limited to personnel and retiree information,
information related to civil or court matters, information related to the collective bargaining process or any information that is deemed confidential by the City and its management team.

Employees who are responsible for personal information must send or receive information using City approved encryption/security methods. Please consult with the Information Technology Department for encryption instructions.

What is personal information may vary based on different laws and regulations. Please use common sense and reasonable care when transmitting or communicating any personal information. Questions about the proper classification of information should be addressed to the City Solicitor.

D. COMMUNICATIONS POLICY

Scope of Policy
The intent of this policy is to establish a formal set of guidelines for the request, acquisition and use of all City of Melrose communications systems which include but are not limited to mobile devices, electronic mail; voice mail; facsimiles; land-based, cellular, satellite or other communication systems and related equipment. All employees who use a City issued device and associated systems agree by such use to comply with the expectations outlined in this policy statement. The City reserves the right to change this Policy at any time at the City’s sole discretion.

Authorization
Whenever in this Policy the employee is required to obtain authorization or consent and the person for whom consent or authorization should be obtained is not specified, permission for that specific activity must be given by the Director of Information Technology.

Acceptable Use – Business Use Only
City issued communication systems are provided at the expense of the City and are to be used solely to conduct City business, not personal business. Employees may not use City issued systems to communicate information, opinions, or comments without authorization from the City. Employees are prohibited from passing off their view as representing those of the City.

The employee must not use City issued systems in a manner that would reflect badly upon the City, such as sending discriminatory or harassing voice-mail, or engaging in any other illegal or tortious activities. Employees may not use the City issued systems for non-City purposes.

Proper and Improper Communication
All employees agree to use City communication systems for proper work related communication. Further the employee agrees not to engage in improper communication. Proper communication is any communication required in the performance of an employee’s principal job function that is professional, reasonable and executed with good customer service. Improper communication is any non-work related communication. The
Mayor’s Office and the Human Resources Department will determine if a communication is considered proper or improper.

**No Presumption of Privacy**
Any and all communications on City systems are not private and security cannot be guaranteed. Passwords and user IDs are designed to protect the City’s confidential, private and/or proprietary information from outside third parties, not to provide employees with personal privacy in the messages.

Employees should assume that any communications that they create, send, receive, or store on City systems may be read or heard by someone other than the intended recipient.

**City’s Right to Monitor Messages**
The City reserves the right to monitor, access, retrieve, read, and disclose to law enforcement officials or other third parties all messages created, sent, received, or stored on the City’s Systems without prior notice to the originators and recipients of such messages. Authorized personnel may monitor the communications of employees to determine whether there have been any violations of law, breaches of confidentiality or security, communications harmful to the business interests of the City, or any violations of this Policy or any other City policy.

**Message Restrictions**
Communications on City systems may not contain content that a reasonable person would consider to be defamatory, offensive, harassing, disruptive, or derogatory, including but not limited to sexual comments or images, racial or ethnic slurs, or other comments or images that would offend someone on the basis of race, gender, national origin, sexual orientation, religion, political beliefs, or disability. Language used in communications created, sent or forwarded by employees using the City’s Systems or used by employees in the course of their employment shall be professional and business like.

**Ownership of Messages, Hardware, Access or Telephone Numbers**
The City systems and all information stored on them are property of the City. All information and messages, whether City-related or personal, that are created, sent, received, accessed, or stored on these systems constitute City records. Any hardware issued by the City remains the property of the City. Any telephone numbers or other access numbers are issued by the City and remain the property of the City. The City solely reserves the right to transfer, discontinue or port any telephone or access numbers.

**Violations**
Violations of this Policy, including breaches of confidentiality or security, may result in suspension of communication privileges, disciplinary actions, and even termination. The City reserves the right to hold the employee personally liable for any violations of this Policy.
Record Retention
As with paper documents created and received by an employee, it is each employee’s responsibility to ensure that those electronic messages that should be retained or deleted are done according to the City’s Record Retention Policy.

Prohibited Activities
Employees may not use the City’s Systems to:

- upload, download, or otherwise transmit copyrighted, trademarked, or patented material; trade secrets; or other confidential, private, or proprietary information or materials without the City’s authorization;
- upload, download, or otherwise transmit any illegal information or materials;
- upload, download, access, create, distribute, or otherwise transmit sexually explicit materials or participate in the viewing of such materials;
- gain unauthorized access to remote computers or other systems or to damage, alter, or disrupt such computers or systems in any way (nor may employees, without authorization, use someone else’s code or password or disclose anyone’s code or password, including their own);
- enable unauthorized third parties to have access to or use the City’s Systems, or otherwise jeopardize the security of the City’s electronic communications systems;
- and engage in any other inappropriate, illegal or tortious activities

Message Creation
Employees must use the utmost care in creating messages on the City’s systems. Even when a message has been deleted, it may still exist on a back-up system, be recreated, be printed out, or may have been forwarded to someone else without its creator’s knowledge. As with paper records, proper care should be taken in creating electronic records, which can affect the City’s reputation and which the City may some day have to produce in connection with a lawsuit.

Only Approved Software to Be Used
Before any software may be used within the City on any of the City’s Systems, the software must be virus tested and approved for use by the Director of Information Technology and each copy must be registered with the City. No copy of software may be used unless the City has a valid license to use that copy. Employees are not permitted to make additional copies of any software, without authorization and proper registration of the copy. Use or distribution of all licensed software or all licensed copies of software is not only against City policy, it is also illegal.

Viruses
Any files downloaded from the Internet and any computer disks received from non-City sources must be scanned with virus detection software before installation and execution. The introduction of viruses, attempts to breach system security, or other malicious tampering with any of the City’s systems is expressly prohibited. Employees must immediately report any viruses, tampering, or other system breaches to the Director of Information Technology.
Selling and Purchasing
The City’s standard purchase and sale policies apply to all purchase and sales related activities conducted via the City’s Systems.

Uploading to City Web Site/Internet
Employees must not place City or customer material such as copyrighted software or other materials, internal memos, and City trademarks on the City website or any publicly-accessible Internet, unless the posting of these materials has first been approved by the Director of Information Technology.

Monitoring
To help insure compliance with this Policy, authorized City representatives may monitor the use of the City’s Systems from time to time. This may include listening to stored voice-mail messages, reading e-mail messages and inspecting any other computer systems files or information.

Mobile Communications – Criteria for requesting a mobile communications device
In order for an employee to be eligible to receive a city issued mobile communications device the employee must meet at least one or more of the following criteria:

- Employee is required to be on-call on a 24 X 7 basis
- Employee’s principal job function requires regular travel and is considered a mobile employee
- Employee is a member of the City of Melrose Emergency Team as established by the Mayor
- Certain public safety employees may be eligible for a city issued mobile communications device
- Under certain circumstances as authorized by the Mayor

Procedure for obtaining a mobile communications device
Any employee or department head requesting a city issued mobile communications device must adhere to the following procedure:

- The department head must submit a Mobile Communications Device Request form to the Information Technology Department. This form is available on the City’s Human Resources Portal or in the Information Technology Department
- The Mobile Communications Device Request form must be completed fully
- The form must be signed by the Department Head submitting the request, the Director of Information Technology and Mayor
- The employee must sign the Mobile Communications Policy acknowledging his/her understanding of the acceptable use of mobile communication devices

Monitoring of Mobile Communications
To help insure compliance with this Policy, the City reserves the right for authorized City representatives to monitor the use of the City’s Systems. This may include, but not be limited to, reviewing account activity, changing passwords and listening to stored voice-mail messages.
All mobile communications usage will be monitored quarterly by the Information Technology Department. The City of Melrose reserves the right to discipline any employee who fails to comply with the Mobile Communications Policy. Departments may be required to seek a transfer of funds to cover any costs related to improper or uncontrolled communications on city issued devices or systems.

Departments with employees who have been issued mobile communication devices will be financially responsible for overages incurred by excessive, uncontrolled or improper usage. In certain instances the employee may be required to reimburse the City of Melrose for the costs of improper communications on city issued devices or systems.

E. DRESS, APPEARANCE and FRAGRANCE IN THE WORKPLACE

It is the policy of the City of Melrose that work attire should complement an environment that reflects an efficient, well organized and professionally operated organization. This policy is intended to define appropriate “business casual attire” during normal business operations.

This policy establishes a dress code for all Melrose employees, volunteers and interns that are not in uniform or covered otherwise in their Collective Bargaining Agreement.

The key in sustaining an appropriate business casual attire program is the use of good judgment, while applying a dress practice that the City deems beneficial to the business environment.

Appropriate business casual attire for employees includes the following: (The list below is intended to be a guideline and is not all inclusive).

Exceptions may apply to certain positions where appropriate casual attire may be a more suitable choice due to the nature of the job (i.e. animal control officer, inspectors etc.).

Men:

- Slacks, Chinos or Dockers
- Polo shirts (Memorial Day through Labor Day)
- Oxford button-down shirts
- Sweaters and cardigans
- Loafers, dress shoes and other business casual shoes
  (department requirements may vary, as some departments require protective footwear for health & safety)

Women:

- Slacks
- Dress shirt/blouse
- Dresses (reasonable length)
- Skirts (reasonable length)
- Sweaters and cardigans
- Dress shoes, appropriate sandals, loafers or other business casual shoes (department requirements may vary. Some departments require protective footwear for health and safety).

Unacceptable Attire: (also applies to high school/college interns, volunteers)
- Plain or pocket T-shirts
- Cutoffs
- T-shirts with logos
- Athletic wear
- Flip flops
- Denim jeans (except appropriate, non-frayed denim on Fridays)
- Spandex or Yoga pants
- Tennis shoes (sneakers or athletic shoes of any kind)
- Tank tops, midriff length tops or off-the-shoulder tops
- Workout/Gym clothes, Sweatshirts

If there are questions on whether something is appropriate, please use good judgment and consult with your supervisor. Your cooperation is expected.

**Compliance:** Department managers and supervisors are responsible for monitoring, and enforcing this policy.

If questionable attire is worn to the office, the respective department manager/supervisor will hold a private discussion with the employee to advise and counsel the employee regarding the inappropriateness of the attire.

If an obvious policy violation occurs, the department manager/supervisor may require the employee to leave the work place (go home), utilizing their own leave time, in order to change his/her attire.

**Fragrance Free:** Employees who are sensitive to perfumes and chemicals may suffer potentially serious health consequences, triggered by exposure to scented products. Consequently, employees are asked to refrain from the use of personal scented products in the workplace where the sole purpose is to produce a scent, such as perfume, after shave and cologne and to avoid the use of strongly scented personal hygiene products such as powder, hair spray, and deodorant.

All City Managers and supervisors are expected to enforce this policy. An employee who is experiencing health consequences due to another employee’s use of scented products should report the issue to their supervisor to ensure appropriate action is taken.
ACKNOWLEDGMENT – RECEIPT OF MANUAL

This is to acknowledge receipt of the CITY OF MELROSE EMPLOYEE MANUAL which outlines the benefits and policies available to me as an employee of the City of Melrose. I will familiarize myself with the information in this Manual, will seek verification or clarification where necessary, and will comply with these policies during my employment with the City.

The information contained in the Manual is subject to change as situations warrant and I understand that changes in benefits or policies may supersede, modify or eliminate those summarized in the Manual. Any such changes will be communicated to me through official notices. I accept responsibility for keeping informed of these changes.

I understand that I have an obligation to inform my Supervisor/Department Head of any changes in my personal data, such as: address, telephone number, marital status or number of dependents and whom to contact in case of an emergency.

A copy of this acknowledgment form will be placed in my personnel record to verify that I have, in fact, read and understand its contents.

Acknowledgment Received

Department: ___________________________________________________________

Signature: ____________________________________________________________

Printed Name: ________________________________________________________

Date: __________________________________________________________________