



Town of Sherborn Personnel Board

Personnel Board Meeting Notice

Date: 06-12-2023
Time: 3:00PM
Location: Virtual

Agenda

Items may be taken out of order. Topics not anticipated 48-hours in advance may be added.

3:00PM

Open Meeting

1. Review of Various Job Descriptions
 - Finance Director – Change in Reporting Authority
 - Crisis Intervention Team-Training and Technical Assistance Center Program Director
 - Crisis Intervention Team-Training and Technical Assistance Center Program Coordinator
 - Board of Health – Board of Health Administrator
 - Administrative Assistant
 - Food Inspector
 - Health Agent
 - Board of Assessors – Director of Assessing
 - Administrative Assistant
2. Discussion with the Personnel Board, Jeremy Marsette
 - Personnel Admin Plan-Interpretation of Holiday and vacation Pay for Part-Time Positions: Section 5f and 6b
 - PAP-Interpretation of “Work from Home”, Section 4d
 - PAP – Interpretation of Work Hours and Pay, Fair Labor Standards Act (FLSA) status, Section 4b
 - Organizational Chart
3. Review and Approval of Previous Personnel Board Minutes

Join Zoom Meeting

<https://us06web.zoom.us/j/83311184082>

Meeting ID: 833 1118 4082

-One tap mobile

+19292056099,,83311184082# US (New York)

Dial by your location

•+1 312 626 6799 US (Chicago)

4b Fair Labor Standards Act (FLSA) Status:

- i. Non-Exempt: Non-exempt Employees will receive compensatory time for all hours worked in any single Work Week in excess of their regularly scheduled hours. A non-exempt Employee will accrue one (1) hour of compensatory time for every hour worked in excess of his or her regular hours in any Work Week up to 40 hours and 1.5 hours of compensatory time for each hour worked in excess of 40 in any Work Week. Compensatory time must be approved by the Employee's Supervisor, and Supervisors must maintain written records of all additional hours worked. Such compensatory time may be used in the same manner as vacation time. Employees must use accrued compensatory time, if any, before using vacation time. When an Employee's Employment terminates for any reason, the Employee will be paid for all accrued, unused compensatory time at the Employee's hourly rate in effect at the time of his or her termination.
- ii. Exempt: Exempt Employees are salaried, and are expected to work the hours necessary to complete their assignments in a professional manner. Department Heads may exercise discretion in modifying schedules from time to time in recognition of excess hours worked, provided that such scheduling changes do not result in increased payroll expense.
- iii. Under the FLSA, Exempt Employees are paid on a "salary basis," meaning that the Employee regularly receives a predetermined amount of compensation each pay period. The predetermined amount cannot be reduced because of variations in the quality or quantity of the Employee's work. Subject to exceptions listed below, an Exempt Employee must receive the full salary for any Work Week in which the Employee performs any work, regardless of the number of days or hours worked. Exempt Employees do not need to be paid for any Work Week in which they perform no work.
- iv. Deductions from the pay of Exempt Employees will be made only in the following circumstances: (1) an Exempt Employee is absent from work for one or more full days for personal reasons other than sickness or disability and has used all of his or her vacation and personal days; (2) an Exempt Employee is absent from work for one or more full days due to sickness or disability, the Employee has used all of his or her sick days, and the Employee is not eligible for short term disability pay; or (3) to offset amounts Employees receive as jury duty fees, or for military pay. Also, the Town is not required to pay the full salary in the first or last Work Week of Employment or for Work Weeks in which an Exempt Employee takes unpaid leave under the Family and Medical Leave Act (FMLA). In these circumstances, either partial day or full day deductions may be made. Nothing in this Section would prevent an Exempt Employee from being demoted into another position or from having their employment terminated.

The Town's policy is to comply with the salary basis requirements of the FLSA. Therefore, any improper deduction may not be made from the salaries of Exempt Employees. If an Employee believes that an improper deduction has been made from his or her salary, the Employee should immediately report this information to the Finance Director/Accountant or designee.

4d. Work from Home:

- i. General Rule: The Town does not permit Employees to self-determine a work-from-home schedule. Every Employee is expected to perform his or her work at the designated workplace during their designated work hours.
- ii. Exceptions to General Rule: From time to time, a Department Head may, however, determine that working from home may be appropriate, on a temporary basis, for a certain Employee. Work from home arrangements shall be assessed by the Town Administrator on a case-by-case basis in a timely manner, focusing on the operational needs of the Department. Approval to work from home in no way changes the terms and conditions of Employment with the Town.
- iii. Exception Request Procedure: If an Employee's Department Head deems that working from home is warranted, the Department Head shall file a written request with the Town Administrator with as much advance notice as possible. The written request shall detail the basis for, and the length of, the work-from-home request. The request must also explain how an Employee working from home will perform all functions of his or her position. If working from home requires the use of Town property, the

written request must include a written explanation of how the security, confidentiality and privacy of the Town property will be maintained. The Town Administrator's written approval or disapproval of the request shall be final. If a Department Head does not follow the process described in the Plan or does not accept the Town Administrator's final decision, the Town Administrator will send written notification of the Plan violation to the Board of Selectmen and Personnel Board

5f: Vacations

A Regular Part-Time Employees shall be paid during vacation days at the per diem rate of pay received by the Employee at the time the Employee takes the vacation. The vacation day credit granted to Part-Time Employees shall consist of the same percentage of the day or vacation day that his or her Employment bears to full-time Employment.

6b: Holidays

Regular Part-Time Employees shall be paid for each of the holidays set out in subsection c. If a holiday does not fall on a Regular Part-Time Employee's regularly scheduled work day, the Regular Part-Time Employee will be given compensatory time on a pro-rata basis in lieu of the paid holiday. The paid holiday granted to Part-Time Employees shall consist of the same percentage of a day that his or her Employment bears to Full Time Employment. A paid holiday that falls on a day which an Employee's Department is normally closed and Employees of the Department normally do not work shall be celebrated on the regular work day for that Department that is closet in time to the actual date on which the paid holiday falls.