

# DRAFT

## Personnel Bylaw Entitled “The Salary Administration Plan FY20”

### Personnel Board Proposed Revisions for Town Meeting 2019 Section-by-Section Detail

Section	Change & Comment
Title	Strike “revised at April 9, 2018 Annual Town Meeting” and insert the following language: <b>[revised at March 23, 2019 Annual Town Meeting]</b>
Preamble	<p>Amend the first sentence of the second paragraph by inserting the words “<b>performed pursuant to a contract approved by the Town</b>” after the words “School Committee.”</p> <p>The first sentence now reads: “This Salary Administration Plan applies to the positions of all officers and employees in the service of the Town, whether full-time, part-time, temporary, seasonal, special or any other, except those positions filled by popular election, under the direction and control of the School Committee, <b>performed pursuant to a contract approved by the Town</b> or encompassed in any officially recognized labor union and/or association.”</p> <p><b>Comment:</b> Some employees previously under the SAP may have contracts pursuant to State statute.</p>
4	<p>Amend the section by deleting the words “<b>and it shall be approved at an annual or special town meeting.</b>”</p> <p>The section now reads: “No position may be reclassified to another grade, whether higher or lower, unless the Personnel Board shall have determined such reclassification is consistent with this Salary Administration Plan.”</p> <p><b>Comment:</b> The phrase which is proposed to be deleted appears to have been added relatively recently, by Annual Town Meeting April 2015. It is not clear why it was added to Section 4 but not Section 3, since these two sections are related and overlap. The current Board can discern no logical reason to distinguish between these sections. Section 3 deals with the creation of new positions, Section 4 deals with the “reclassification” of positions. The Board received legal guidance on these sections from Special Town Counsel Tim Norris. Some actions may be viewed as coming under Section 3 <i>or</i> Section 4, <i>e.g.</i>, where a new position is sought to be created due to an increase in responsibility for an incumbent employee; the resulting new position could be viewed as both a “new position” under Section 3 or a “reclassification” of an existing position under Section 4. Example: the Program Coordinator for the COA has new responsibilities warranting a “reclassification” of the position to “Program Manager” at a higher grade. This could be viewed as both a new position and as a reclassification of an existing position. It unnecessarily complicates the Board’s work to apply a different standard of review to one of these sections. Moreover, this deletion does not take away Town Meeting ratification of reclassifications. Any new position or reclassified position is included in the salary schedule and <i>de facto</i> ratified by Town Meeting because Town Meeting approves the Bylaw. In short, Town Meeting review of the Board’s action is not affected in practice by the removal of this phrase.</p>

Section	Change & Comment
7(a)	<p>At the end of the fourth sentence, delete the period after the word “increase” and insert the following language <b>“in the case of all employees in Full-Time Graded Positions under Schedule A. Evaluations of employees in Part-Time Hourly Graded Positions under Schedule C and Seasonal Personnel under Schedule F may require performance evaluations under Personnel Policy enacted hereunder.”</b></p> <p>The fourth sentence now reads: “An evaluation of the employee’s performance, in a format approved by the Personnel Board, must accompany a request for an increase <b>in the case of all employees in Full-Time Graded Positions under Schedule A. Evaluations of employees in Part-Time Hourly Graded Positions under Schedule C and Seasonal Personnel under Schedule F may require performance evaluations under Personnel Policy enacted hereunder.”</b></p> <p><b>Comment:</b> As currently written, the Bylaw requires that a performance evaluation accompany a request for a raise for all employees, whether FT, PT or Seasonal. In practice, this has not been observed. The revision would continue the requirement for annual evaluations of all FT employees, while affording flexibility for occasional and PT workers, such as some Library Pages or Election Workers.</p>
15(a)	<p>Add a fourth sentence at the end of the section: <b>“For purposes of this section, Election Workers and Wardens shall not be considered ‘employees of the Town.’”</b></p> <p>The section now reads: “a. There shall be a Personnel Board to administer the Salary Administration Plan. Said Board is to be appointed by the Town Moderator. The Board shall consist of five voters other than employees of the Town or those regularly serving the Town in any elective capacity. They shall serve without compensation. <b>For purposes of this section, Election Workers and Wardens shall not be considered ‘employees of the Town.’</b>”</p> <p><b>Comment:</b> Town employees currently may not serve on Personnel Board. Election Workers and Wardens are very occasional, PT employees. We should not disqualify them from joining the Personnel Board; we do not have so many volunteers for the Board that we can afford to disqualify someone who works at the polls 2 or 3 days in a year. A current member of the Board is a long-time Election Warden.</p>
15(b)	<p>In the second sentence, strike the word “thereof” and substitute the word “therefor”</p> <p>The sentence now reads: “The Personnel Board may employ assistance and incur expenses as it deems necessary, subject to appropriation of funds <b>therefor.</b>”</p>
16(c)	<p>In the second sentence, strike the phrase “, except for the month of August” and add the phrase “, except when there is no business before the Board.”</p> <p>The second sentence now reads: “<i>The Board shall meet at least monthly, <b>except when there is no business before the Board.</b></i>”</p> <p><b>Comment:</b> The Bylaw previously called for the Board to take off the month of August. The Board may wish to meet in August.</p>

Section	Change & Comment
16(f)	<p data-bbox="285 205 1487 300">Motion to amend Section 16(f) by striking in the first sentence the words “Between November and January of each fiscal year,” and substituting the following language “<b>Not later than six (6) months prior to Annual Town Meeting,</b>”</p> <p data-bbox="285 331 1487 493">The sentence now reads: “f. <b>Not later than six (6) months prior to Annual Town Meeting,</b> the Personnel Board may vote an annual adjustment (but shall reserve the right to vote no adjustment) to the Classification Schedule and establish the effective rate for employees of each grade for the next fiscal year, subject to the subsequent ratification of its action by formal amendment of the Salary Administration Plan at the next Annual Town Meeting.”</p> <p data-bbox="285 527 1487 621"><b>Comment:</b> The date of Annual Town Meeting was changed from April to March in 2018 and may change again. It makes sense to remove reference to a specific month and to peg the timing of Board action to the municipal calendar.</p>

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## Schedule A (Full-Time Positions)

	<p>New position <b>Police Business Administrator</b> added @ Grade 6</p> <p><b>Comment:</b> At the request of the Police Department and upon presentation and review of substantiating data, the Personnel Board determined that the position of Business Administrator in the Police Department should be upgraded and a new position of Police Business Administrator added to the Schedule at Grade 6.</p>
	<p>New position <b>Program Manager, COA</b> added @ Grade 6</p> <p><b>Comment:</b> At the request of the Director of the Council on Aging and the Council on Aging, the Personnel Board determined that the position of Program Coordinator for the COA (Senior Center) should be upgraded and a new position of Program Manager, COA added to the schedule at Grade 6.</p>
	<p>Delete the existing table of salaries and insert a new salary table.</p> <p><b>Comment:</b> One of the Board’s duties is to periodically review the salary schedules and recommend action to the Town. The Board, in consultation with the Personnel Director Mark Purple, Finance Director Brian Ballantine, Town Accountant Heidi Kriger and Assistant Town Administrator Vanessa Hale, voted to recommend to Town Meeting a 1.65% increase in the Schedule A salary ranges for FT SAP employees. The Board considered salary rates and financial circumstances in Town as well as external data. This figure represents the three-year average of the CPI.</p>
	<p>Delete the following language below the Position/Grade table:          “*Increases in salary rates exceeding the maximum will be considered on a case by case by the Personnel Board.”</p> <p><b>Comment:</b> This language undermines the uniformity and fairness that the Board strives for in interpreting and administering the SAP.</p>
	<p>Three related revisions:</p> <ol style="list-style-type: none"> <li>(1) Add the following language below the Position/Grade table:              “*when not under contract”</li> <li>(2) Add an asterisk to the position of Town Accountant</li> <li>(2) Restore the following positions with an asterisk: <b>Superintendent of Public Works @ Grade 9, Finance Director/Treasurer-Collector @ Grade 9 and Principal Assessor at Grade 8</b></li> </ol> <p><b>Comment:</b> These are not new positions. Some SAP employees may have contracts under State statute. The Board was previously advised to take these positions out of the SAP. After discussion, the Board decided to leave in these contracted positions, restore the ones that had been removed and add an asterisk to denote that they may be under contract.</p>

### Schedule C (Part-Time Positions)

	<p>Delete the following language which appears after the table of grades/postions:          “*While serving as an Interim Police Officer (Reserve), an employee will fall under Grade 12. After the interim designation has ended, the employee will revert to the Grade 11 classification”</p> <p><b>Comment:</b> The Board was advised by the Assistant Town Administrator Vanessa Hale, after consultation with the Chief, that the Police Department no longer requires this language.</p>
	<p>Delete the existing Schedule C and insert a new one.</p> <p><b>Comment:</b> The Board commissioned a study of Part-Time (Schedule C) salaries. The Board was advised that such a study was long overdue. The Town implemented a new Classification &amp; Compensation Plan for FT employees in 2015 but PT positions were not included in that Study. The Consultant recommended a new Schedule consisting of consolidating current Grades 1-13 into Grades 1-5 with a slightly modified hourly wage table. The new minimum hourly rate recommended by the Consultant (\$11) is the hourly rate our lowest-paid employees are currently making. (MA minimum wage is now \$12 per hour, although municipalities are not required to pay the State minimum wage.) The new maximum hourly rate recommended by the Consultant (\$42) is \$1 more than our current maximum rate. An analysis of the financial impact of adopting the new wage schedule, done for the Personnel Board by the Finance Director Brian Ballantine and Assistant Town Administrator Vanessa Hale, shows that currently, one PT Police Dispatcher will be entitled to a raise of \$0.38 per hour (from \$17.62 to \$18.00) if this new schedule is ratified by Town Meeting.</p>
	<p>Delete the table “Reclassification/Promotions” after Schedule C.</p> <p><b>Comment:</b> not needed.</p>

### Miscellaneous Schedules

Schedule E	<p>Add an “Energy Management Stipend” in the amount of \$6,000</p> <p><b>Comment:</b> Schedule E includes a list of stipends for work done by employees which does not fit neatly into the other schedules. The Town Administrator and BOS requested that this stipend be included in the SAP for work done in qualifying and maintaining Southborough as a “Green Community.” On an ongoing basis, the Energy Manager is responsible for applying for competitive grants available through the GC program and for overseeing/facilitating capital improvements in Town which are expected to result in additional energy cost savings under the program. According to the Town Administrator “To date, in excess of \$390,000 has been received from the GC program that the Town has begun to use to reduce our energy usage through capital projects, and more than \$19,000 in annual energy saving has already been achieved.” The stipend will be paid as an administrative cost from grant monies received.</p>
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## Miscellaneous Schedules

Schedule F	<p>Move the existing table of PT salaries in Schedule C to Schedule F.</p> <p><b>Comment:</b> Schedule F, Recreation Seasonal Personnel, shares a salary table with Schedule C. The Schedule C salary schedule is recommended to change based on the Consultant's study (see above). However, the Recreation Department Seasonal Personnel in Schedule F were not studied as part of the Schedule C study. Therefore, the existing table of rates still applies to these workers until further study.</p>
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Document: SAP Proposed Revisions Detail (Draft)(To Be Reviewed/Approved by Personnel Board 03-13-19)  
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