

**Chapter 35**  
**PERSONNEL**



ARTICLE I  
**Personnel Board**

**§ 35-1. Establishment; number of members.**

The Personnel Board consisting of five (5) members, one (1) of whom shall be a member of the Finance Committee, is hereby established.

**§ 35-2. Terms of members.**

Initially, one (1) member will be appointed for a term of four (4) years, one (1) member for a term of three (3) years, one (1) member for a term of two (2) years and one (1) member for a term of one (1) year. Subsequently, one (1) member of said Board shall be appointed annually for a four-year term by the Selectmen in the month of March. The Finance Committee shall appoint one (1) of its members to the Board annually.

**§ 35-3. Residency requirement; compensation.**

All members of said Board shall be residents of the Town and shall serve without compensation.

**§ 35-4. Ineligibility of Town officers and employees.**

No officer or employee of the Town shall be eligible to serve on this Board.

**§ 35-5. Vacancies.**

Any vacancy in the membership of said Board shall be filled by the Selectmen for the remainder of the unexpired term.

**§ 35-6. Duty of Board.**

It shall be the duty of the Board to make a study from time to time of the work and compensation of all employees of the Town subject to the provisions of this chapter.

**§ 35-7. Presentation of amendments.**

The Board shall present to the Town Meeting such amendments to the Classification-Compensation Plan as it deems desirable.

**§ 35-8. Board to report to Town Meeting.**

The Board shall report to the Town Meeting its recommendations as to all articles in the warrant pertaining to the Classification-Compensation Plan.<sup>1</sup>

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1. Editor's Note: Said plan is included as an attachment to this chapter.

**§ 35-9. Filing of annual report.**

The Board shall file a copy of its annual report with the Selectmen and the Finance Committee on or before the date required for inclusion in the annual report.

**§ 35-10. Hearing for amendments.**

The Board shall hold a hearing upon all proposed amendments to this chapter and the Classification-Compensation Plan<sup>2</sup> and shall give due notice thereof to all persons interested.

**§ 35-11. Keeping of records.**

The Board shall keep such records of all employees of the Town subject to this chapter as it deems desirable.

**§ 35-12. Setting of higher entrance rates.**

Upon the recommendation of a board or a head of a department supported by evidence in writing of special reasons and exceptional circumstances, the Board may authorize an entrance rate higher than the minimum rate set forth in the Classification-Compensation Plan.<sup>3</sup>

**§ 35-13. Employment of clerical assistance and making of expenditures.**

The Board may employ such clerical and other assistance and make such expenditures as it deems necessary, subject to appropriation thereof.

**§ 35-14. Acting as Personnel Relations Review Board.**

The Board of the Town shall constitute the Personnel Relations Review Board of the Town, and in that connection, shall have the powers and duties, and perform the functions, assigned to such Personnel Relations Review Boards by MGL c. 40, § 21B; and said Board shall, in the performance of its duties as Personnel Relations Review Board, be subject to the limitations imposed by MGL c. 40, § 21B, and by the bylaws of the Town.

**§ 35-15. Personnel Relations Review Board to keep separate records.**

When sitting as a Personnel Relations Review Board, the Board shall keep a separate record of its proceedings, which shall not be open to the public inspection as may otherwise be required by state law.

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2. Editor's Note: Said plan is included as an attachment to this chapter.

3. Editor's Note: Said plan is included as an attachment to this chapter.

ARTICLE II  
**Personnel Policies**

**§ 35-16. Applicability.**

The following personnel policy shall be applicable to all permanent full-time, part-time and temporary employees of the Town with the exception of those working under the supervision or direction of separate boards or committees which have provided separate personnel policies for such employees.

**§ 35-17. Statutory employment provisions.**

Employment by the Town shall be generally governed by the laws and statutes of the Commonwealth of Massachusetts.

**§ 35-18. Engagement of employees.**

Employees shall be engaged according to the following procedure:

- A. Public advertisement or notice.
- B. Submission of a written application or on the form provided by the Board of Selectmen.
- C. A certificate of physical fitness from a physician shall be required.
- D. A personal interview may be held by the Board of Selectmen and the department head.

**§ 35-19. Probationary period.**

- A. Each new employee shall work a probationary period of six (6) months, during which time he or she may be dismissed at the discretion of the Board of Selectmen or upon recommendation of the department head concerned.
- B. Following the completion of said probationary period, an employee shall be considered a regular employee who may be dismissed only for cause and after a hearing.

**§ 35-20. Rates of pay.**

- A. Rates of pay for such employment by the Town shall be established by the Classification-Compensation Plan.<sup>4</sup>
- B. Part-time and temporary employees [those employed for three (3) months or fewer] shall not be paid at such rates as set by the Personnel Board in the Classification-Compensation Plan. **[Amended 3-5-1979 ATM, Art. 15]**

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4. Editor's Note: Said plan is included as an attachment to this chapter.

**§ 35-21. Hours.**

The normal workday shall be eight (8) hours, exclusive of lunch periods. The normal workweek shall be forty (40) hours.

**§ 35-22. Overtime pay.**

Regular Town employees shall receive overtime pay for all hours worked in excess of forty (40) hours in one (1) workweek consistent with the acceptance of the Annual Town Meeting of MGL c. 149, § 33C. Overtime pay is computed at one and one-half (1 1/2) times the straight-time hourly base rate of the employee. Vacation days, sick days and holidays are counted as time worked in the computation of overtime. Department heads (highway, sewer, police, Town Clerk) are considered exempt employees and are not eligible for overtime pay.

**§ 35-23. Shift differential. [Amended 4-6-1982 ATM, Art. 29; 4-25-1988 ATM, Art. 16; 4-27-1992 ATM, Art. 36; 4-26-1993 ATM, Art. 34; 4-25-1994 ATM, Art. 32; 4-25-2016 ATM, Art. 5]**

Town Departments that regularly schedule work shifts during the period of 3:00 p.m. to 11:00 p.m. shall pay a shift differential of one dollar (\$1.00) for each hour worked; Town Departments that regularly schedule work shifts during the period of 11:00 p.m. to 7:00 a.m. shall pay a shift differential of one dollar fifty cents (\$1.50) per hour for each hour worked. In this case, "Regularly" shall mean no less than four times weekly, and no less than 36 weeks per fiscal year.

**§ 35-24. Responsibility to report absence.**

Each employee must notify his or her department promptly of any absence.

**§ 35-25. Holidays.**

A. Regular employees shall be compensated at their regular rates for the following legal holidays:

New Year's Day  
Martin Luther King Day  
Washington's Birthday  
Patriot's Day  
Memorial Day  
Independence Day  
Labor Day  
Columbus Day  
Veteran's Day  
Thanksgiving Day

Day after Thanksgiving **[Added 4-6-1983 ATM, Art. 15B]**  
 Christmas

- B. When a holiday occurs on a weekend or during an employee's vacation, the employee may have a compensatory day off.
- C. (Reserved)<sup>5</sup>
- D. All employees will be expected to render emergency service whenever necessary.

**§ 35-26. Vacation leave. [Amended 3-5-1979 ATM, Art. 14; 4-6-1983 ATM, Art. 15B; 4-24-2000 ATM, Art. 33; 4-27-2015 ATM, Art. 34]**

- A. Eligible employees: all full-time and benefit eligible permanent part-time employees.
- B. Collective bargaining agreements and statutory employment agreements. If there is a conflict between this bylaw and an applicable collective bargaining agreement or the terms of any applicable statutory employment agreement, including an employment agreement under MGL c. 41, § 108N (applying to Town administrators, Town accountants, and/or persons performing such duties having a different title), MGL c. 41, § 108O (applying to police chiefs and fire chiefs), and MGL c. 78, § 34 (applying to head librarians), the terms of the collective bargaining agreement or statutory employment agreement, as the case may be, shall prevail over the bylaw.
- C. Computation of vacation time. Subject to Subsection D below, all eligible employees shall accrue vacation time beginning the first day of duty, as follows:
 

First Day of Duty, up to 5 years of actual service	80 hours annually, accrual rate 3.08 hrs bi-weekly
5 years, up to 10 years of actual service	120 hours annually, accrual rate 4.62 hrs bi-weekly
10 years or more of actual service	160 hours annually, accrual rate 6.16 hrs bi-weekly
- D. Eligible part-time employee calculation of vacation time. Eligible part-time employees accrue vacation leave on a pro-rated basis, based on the amount of hours worked in the previous fifty-two (52) weeks. New hires' first year pro-rated calculation is based on hours worked.
- E. Vacation limits.
  - (1) Eligible employees may accrue and carry vacation time balances equal to two (2) years' worth of vacation time. Once an employee

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5. **Editor's Note: Former Subsection C, which required that employees must work the days preceding and following a holiday in order to receive holiday pay, unless granted a leave of absence, was deleted by 4-27-1992 ATM, Art. 35.**

accrues two (2) years of vacation time, the employee will no longer continue to accrue any more vacation time until such time as the employee uses some portion of the accrued, unused vacation time. Once the employee uses vacation time bringing the amount of vacation time being carried to fall below the 2-year accrual limit, accrual will resume on a bi-weekly basis.

- (2) The employee will not be compensated for non-accrued time under this policy.
  - (3) Eligible part-time employees' 2-year vacation limit will be calculated on a pro-rated basis using the same calculation method used to calculate the vacation time.
- F. Transition from prior vacation leave system to current system set forth in this bylaw.
- (1) The amendments to this bylaw shall take effect on July 1, 2015.
  - (2) For the purpose of implementing the transition from the prior vacation leave system to the accrual and computation system contained in this amended bylaw, each current Town employee who is covered by this bylaw as of the effective date on which the amendments take effect shall be permitted a one-year period to use any accrued, unused vacation that such employee may have that is beyond the computation provision and accrual limits set forth Subsections C and E above. During this transition period, any employee who has accrued vacation leave that is greater than the amount of vacation leave that may be accrued at any given time (i.e., two-years of vacation leave), as determined by the schedule set forth in Subsection C above, shall not continue to accrue any more vacation time until such time as the employee has used that amount of accrued, unused vacation time to bring the employee within the accrual limits of this bylaw.
- G. Using vacation time. Employees may use vacation time with the approval of their department head (or in the case of a department head, the department head's appointing authority) in increments up to fifteen (15) consecutive work days.
- H. Vacation requests and scheduling.
- (1) Employees shall request vacation time from their respective department head (or in the case of a department head requesting vacation, from the department head's appointing authority). The department head (or the appointing authority, as the case may be) shall schedule such vacation leave based on the operational needs of the Department.
  - (2) Requests for vacation time in excess of employees' available accrued time may be granted as leave without pay at the discretion of the department head.



- (3) Subject to operational needs, department heads are responsible for the scheduling of their employees' vacation time throughout the year so that the Town's mission and employees' needs are met, and so that employees do not have a significant amount of vacation time that must be used or forfeited.
- I. Employment termination. Upon the termination of employment or retirement an employee will be compensated for the balance of their accrued but unused vacation time to the date of termination or the last pay check. Accrued but unused vacation time will be paid to the estate of an employee in the event of an employee's death.

**§ 35-27. Sick time. [Amended 3-5-1979 ATM, Art. 16; 3-25-1985 ATM, Art. 18; 4-24-1995 ATM, Art. 33; 4-27-2015 ATM, Art. 34]**

- A. Eligible employees. All full-time and benefit eligible permanent part-time employees.
- B. Collective bargaining agreements and statutory employment agreements. If there is a conflict between this bylaw and an applicable collective bargaining agreement or the terms of any applicable statutory employment agreement, including an employment agreement under MGL c. 41, § 108N (applying to Town administrators, Town accountants, and/or persons performing such duties having a different title), MGL c. 41, § 108O (applying to police chiefs and fire chiefs), and MGL c. 78, § 34 (applying to head librarians), the terms of the collective bargaining agreement or statutory employment agreement, as the case may be, shall prevail over the Bylaw.
- C. "Immediate family" defined. For the purposes of this bylaw, the term "immediate family" is defined as a spouse (or significant other that lives in the same household as the employee), son, daughter, mother, father, brother, sister, stepmother, stepfather, stepson, stepdaughter, stepbrother, stepsister, mother-in-law or father-in-law.
- D. Sick time purpose. Sick time is a contingent benefit limited to absences caused by an eligible employee's illness (including illness or disability arising out of or caused by pregnancy or childbirth), injury, or exposure to contagious disease, or the illness of a member of an eligible employee's immediate family, including illness or disability arising out of or caused by pregnancy or childbirth or for medical appointments. Sick leave used for purposes other than legitimate reasons or in an excessive manner may result in disciplinary action up to and including termination of employment at the discretion of the Town.
- E. Doctor's note. The Town, at its exclusive discretion, reserves the right to request a written certificate from a Town-selected physician, at the cost to the Town, or from the employee's physician, relative to the employee's ability to perform the essential functions of the job or in cases of absence under this bylaw.

## F. Sick time accrual.

- (1) Eligible employees with less than ten (10) years of service to the Town may accumulate up to a maximum of sixty (60) days\* of sick time for use by the employee. Each day of accrued sick time shall equal eight (8) hours. Therefore, eligible employees with less than ten (10) years of service may accumulate up to a maximum of 480 hours of sick time. Eligible employees with less than 10 years of service, will accrue sick time at a rate of 0.833 sick time days per month for each month of actual service not to exceed 10 sick days per year, up to a maximum of sixty (60) days\*.
- (2) Eligible employees with ten (10) years or more of service to the Town may accumulate up to a maximum of ninety (90) days\* of sick time for use by the employee. Each day of accrued sick time shall equal eight (8) hours. Therefore, eligible employees with 10 or more years of service may accumulate up to a maximum of 720 hours of sick time. Eligible employees with ten (10) or more years of service, will accrue sick time at a rate of 0.833 sick time days per month for each month of actual service not to exceed 10 sick days per year, up to a maximum of ninety (90) days\*.

\*Eligible part-time employees shall accrue sick time on a pro-rated basis.

- G. Sick time limits. Once an employee's sick time limit is reached, the employee will no longer continue to accrue any more sick leave until such time as the employee uses some portion of the accrued, unused sick time. Once the employee uses sick time causing the amount of sick time being carried to fall below the sick time limit, accrual will resume on a bi-weekly basis. The employee will not be compensated for non-accrued sick time under this policy.
- H. Transition from prior sick time system to current system set forth in this bylaw.
  - (1) The amendments to this bylaw shall take effect on July 1, 2015.
  - (2) For the purpose of implementing the transition from the prior sick time system to the accrual and computation system contained in this amended bylaw, any Town employee who is covered by this bylaw who has accrued sick time that is greater than the amount of sick time that may be accrued at any given time, as set forth in Subsection F above, as of the effective date on which the amendments to this bylaw take effect, shall not continue to accrue any more sick time until such time as the employee has used that amount of accrued, unused sick time to bring the employee within the accrual limits of this bylaw.
- I. Employment retirement or death. When an employee retires or upon the death of an employee, the Town will pay the employee or the employee's estate unused sick time at a rate of one (1) day per year of

service or the employee's sick time balance, whichever is less, up to a maximum of \$4,000.00.

**§ 35-28. Fringe benefits.**

Regular employees working for the Town one thousand forty (1,040) hours or more during the year are eligible to participate on a prorated basis in the following fringe benefits programs offered by the Town unless otherwise indicated:

- A. Health insurance. As provided for under Chapter 32B of the General Laws, thirty-five percent (35%) of the premium for this insurance is paid for by the employee. **[Amended 3-31-1986 ATM, Art. 19; 4-24-1989 ATM, Art. 14]**
- B. Life insurance.
  - (1) Types of insurance available include group life, group total permanent disability and accidental death.
  - (2) As provided for under Chapter 32B of the General Laws, thirty-five percent (35%) of the premium for this insurance is payable by the employee. **[Amended 3-31-1986 ATM, Art. 19; 4-24-1989 ATM, Art. 14]**
- C. Pension plan.
  - (1) As provided for under Chapter 32B of the General Laws, full-time employees of the Town must participate in the approved county pension plan.
  - (2) Part-time employees may participate if yearly hours of Town employment exceed one thousand forty (1,040) or annual earnings from the Town exceed seven hundred twenty dollars (\$720.).
  - (3) Contribution made to the plan shall be as follows:
    - (a) Employees hired prior to November 1, 1975: five percent (5%) of gross wages.
    - (b) Employees hired after November 1, 1975: seven percent (7%) of gross wages.
    - (c) Employees hired after January 1, 1984: eight percent (8%) of gross wages. **[Added 3-25-1985 ATM, Art. 18]**
- D. Personal day. One (1) day for personal use shall be granted by the Town, each year on the anniversary date of employment. An unused personal day will revert to the Town and the employee shall receive no compensation. **[Added 4-27-1987 ATM, Art. 17]**

**§ 35-29. Military leave.**

- A. Any employee having at least one (1) year of continuous service for the Town and being required to perform military duty in the armed forces under the provisions of MGL c. 33, § 54, or being required to serve an annual tour of duty as a member of a reserve component of the Armed Forces of the United States, shall be granted a military leave of absence and shall also be entitled to compensation for any difference between his military pay and his regular pay for not more than ten (10) workdays during such military leave of absence and, in addition thereto, shall be granted the same leaves of absence or vacation with compensation given to other like employees.
- B. A military leave of absence without compensation shall be granted to any such employee called to active duty with the armed forces for purposes other than military duty referred to in the preceding subsection.
- C. Seniority shall accumulate during service in the Armed Forces of the United States.
- D. A military leave of absence with compensation shall be granted to any such employee for the purpose of appearing before any board under the Selective Service Law or for any physical examinations under said law, but no such leave of absence shall be granted for a period of more than one (1) day without the approval of the Board of Selectmen.

**§ 35-30. Jury duty leave.**

An employee of the Town who serves as a grand or traverse juror in a federal court or in the courts of the commonwealth shall receive from said Town the difference between his pay and the compensation he receives for such jury service, exclusive of any travel or other allowance.

**§ 35-31. Emergency leave; Family and Medical Leave Act of 1993.  
[Amended 4-25-1994 ATM, Art. 31]**

- A. Twelve (12) weeks emergency leave under the Family and Medical Leave Act of 1993 will be granted without compensation, excepting that accumulated vacation and personal day benefits must first be used during any extended leave period.
- B. Emergency leave up to a maximum of seven (7) days per year may be allowed for serious illness in the immediate family (defined in § 35-32B below) of the employee and shall be charged against sick leave allowance of the employee. This is exclusive of leave associated with the Family and Medical Leave Act of 1993.

**§ 35-32. Bereavement leave.**

- A. Leave, up to a maximum of three (3) days, shall be allowed for death in the immediate family of the employee and shall not be charged against the sick leave allowance of the employee.

- B. "Immediate family," as defined in this section, shall mean wife, husband, son, daughter, father, mother, brother, sister, father-in-law, mother-in-law and grandparents.
- C. One (1) day of leave for death not in the immediate family, at the discretion of the department head, shall be allowed and not charged against sick leave, vacation or personal days of the employee. **[Added 4-26-1993 ATM, Art. 33]**

**§ 35-33. Other leaves of absence.**

Leaves of absence for causes other than set forth in this article shall be without compensation.

**§ 35-34. Grievance procedure.**

- A. There shall be a grievance procedure available to those employees of the Town whose rights, in their opinion, have been prejudiced in any way and covering all other grievances except those that would properly be under the jurisdiction of the Civil Service Commission or other duly established appeal board.
- B. As used in this section, the word "grievance" shall be construed to mean dispute between an employee and his supervisor(s) arising out of an exercise of administrative discretion by such supervisor(s).
- C. It is further understood that any employee may handle his grievance directly with his supervisor.
- D. Should any difference relative to wages, hours and working conditions arise between the Town and any employee or employees, an earnest effort shall be made to settle such difference immediately as follows:
  - (1) Step 1. An employee with a grievance shall speak to the head of his department regarding the problem. The department head shall make an effort, orally and within three days to resolve the problem to the satisfaction of all parties. If, however, the employee is not satisfied, he shall present his grievance in writing to the head of the department.
  - (2) Step 2. The department head will investigate the grievance and present his conclusions in writing to the employee within two weeks. If the employee is not satisfied then, he shall present all pertinent data in writing, including the grievance and written answers from the department head to the Personnel Board acting in its capacity as Personnel Relations Review Board (see § 35-14 of Article I, Personnel Board).
  - (3) Step 3. The Personnel Relations Review Board shall conduct a hearing within 30 days. Within two weeks from the date of the hearing, the Board shall forward its decision, in writing, to the

department head and a copy to the employee. This decision shall be final and binding.

**§ 35-34.1. Drug and alcohol testing. [Added 4-29-1996 ATM, Art. 31]**

- A. Any Town employee who, during the course of his (her) employment, might be required to use a municipal vehicle may be subject to random drug and alcohol testing.
- B. Such testing can be mandated by a local drug and alcohol coordinator if just cause is given.
- C. Any employee who fails to submit to testing may be subject to a hearing by the Board of Selectmen, Personnel Board and/or department head, with the possibility of suspension, dismissal or other appropriate action.

**§ 35-34.2. Sexual harassment policy. [Added 4-29-1996 ATM, Art. 32; amended 9-27-2006 STM, Art. 5]**

The Board of Selectmen shall develop and maintain a policy regarding harassment and sexual harassment in keeping with the laws and regulations of the United States and the Commonwealth of Massachusetts.

ARTICLE III  
**Classification-Compensation Plan<sup>6</sup>**

**§ 35-35. Statutory authority.**

The Classification-Compensation Plan Bylaw is hereby adopted pursuant to the provisions of MGL c. 41, § 108A.

**§ 35-36. Establishment of Classification-Compensation Plan.  
[Amended 4-12-1980 ATM, Art. 31]**

A plan classifying certain positions in the service of the Town, into groups and classes doing substantially similar work or having substantially equal responsibilities, is hereby established, said plan to be known as the Classification-Compensation Plan, annexed hereto and being hereby made a part hereof.<sup>7</sup>

**§ 35-37. Form of plan.**

The Classification-Compensation Plan, when established by vote of the Town, shall consist of the minimum and maximum salaries and wages to be paid to all employees of the Town in any position subject to the Classification-Compensation Plan and may be amended from time to time by vote of the Town.

**§ 35-38. Allocation of positions.**

All boards and heads of departments shall, as soon as may be, after the effective date of this chapter, allocate all employees to the appropriate positions in the Classification-Compensation Plan, in accordance with allocations presently approved by the department heads and the Finance Committee, and shall in like manner allocate any new employees.

**§ 35-39. Change of allocation.**

Said boards and heads of departments may, with prior approval of the Personnel Board, change such allocation of any employee.

**§ 35-40. Filing of allocations.**

A report of any such allocations and reallocations shall be filed in the office of the Town Accountant and with the Personnel Board.

**§ 35-41. Construal of definitions. [Amended 4-12-1980 ATM, Art. 31]**

The definition for any classification shall be construed solely as a means of identifying positions properly pertaining to the class and not as prescribing

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6. Editor's Note: Said plan is included as an attachment to this chapter.

7. Editor's Note: Said plan is included as an attachment to this chapter.

the particular duties or responsibilities of any position in the class or as modifying or in any way affecting the authority of any board or head of a department as otherwise existing to appoint, to assign duties to, to promote, to demote, to change the duties of or to direct or control the work of any employee under the jurisdiction of such board or head of a department.

**§ 35-42. Pay to be appropriate to position.**

No person shall be appointed, employed or paid as an employee of the Town in any position subject to the provisions of this chapter under any title other than that of the appropriate position in the Classification-Compensation Plan.

**§ 35-42.1. Longevity pay. [Added 4-24-2017 ATM, Art. 8]**

A. Definitions for purposes of longevity compensation.

1. Continuous service shall mean uninterrupted continuous employment by the Town of Deerfield from the last date of hire.
2. Employees who work regularly at least 40 hours per week shall receive longevity at the schedule established below.
3. Full time status is based on an employee's current work status. Prior part-time service will be used to compute longevity years, provided the years are continuous.
4. Part-time employees, who are on the classification-compensation schedule, shall receive pro-rated longevity pay, according to the schedule below.

B. Calculations of longevity for non-elected, full-time employees.

1. Upon completion of TEN years of continuous Town service, a sum of \$200 shall be added to that employee's pay once a year, and once each year thereafter through the fourteenth year of continuous Town service, that employee shall receive a lump sum longevity payment of \$200.00.
2. Upon completion of FIFTEEN years of continuous Town service, a sum of three hundred dollars (\$300.00) shall be added to that employee's pay once a year, and once each year thereafter through the nineteenth year of continuous Town service, that employee shall receive a lump sum longevity payment of \$300.00.
3. Upon completion of TWENTY years of continuous Town service, a sum of four hundred dollars (\$400.00) shall be added to that employee's pay once a year, and once each year thereafter through the twenty-fourth year of continuous Town service, that employee shall receive a lump sum longevity payment of \$400.00.
4. Upon completion of TWENTY-FIVE years of continuous Town service, a sum of five hundred dollars (\$500.00) shall be added to



that employee's pay once a year, and once each year thereafter of continuous Town service, that employee shall receive a lump sum longevity payment of \$500.00.

C. Payment of longevity benefit.

1. Payment of longevity compensation shall be made on an annual basis and shall be paid on the last fiscal year payroll.
2. Longevity compensation shall be construed as regular compensation for the purpose of retirement benefits.

**§ 35-43. Official titles. [Amended 4-12-1980 ATM, Art. 31]**

The title of each class as set forth in the Classification-Compensation Plan shall be the official title of every position allocated to the position for all purposes having to do with the position as such and shall be used to designate the position in all payrolls, budget estimates and official records and reports relating thereto.

**§ 35-44. Rates exceeding applicable salary. [Amended 4-30-1990 ATM, Art. 27]**

In any case where any employees subject to this chapter, upon the effective date thereof, shall have a rate or rates of compensation exceeding the applicable salary and wage limitations set forth, such employee may continue to be so paid, but this section shall not apply to any new employee. In instances where accommodations of compensatory time, monetary support, resources support or other changes in normal working schedule for professional enhancement, extended professional travel and meeting expenses or other so called job-related professional interest are to be considered as job duties, such arrangements must be agreed to in writing by the Selectmen. Such agreements are normally limited to managerial and department head personnel and addressed at time of employment.

**§ 35-45. Conflict with statute.**

Nothing contained in this chapter shall be construed to conflict with Chapter 31 of the General Laws.

**§ 35-46. Validity of provisions.**

If any provisions of this chapter or the application of such provision to any persons or circumstances shall be held invalid, the validity of the remainder of the chapter and the applicability of such provision to other persons or circumstances shall not be affected thereby.

**§ 35-47. Applicability of plan.**

This chapter shall be operative only as to employees whose positions are subject to the Classification-Compensation Plan.

**§ 35-48. Minimum salary scales to be entrance scale.**

The aforesaid minimum salary and wage scales shall be the entrance scales of all employees except as provided herein.

**§ 35-49. Consideration for employment by Personnel Board; exception.**

Persons may be hired to a job at levels indicated when qualifications have been presented to the Personnel Board and justified according to job evaluation requirements. Persons may be hired at the minimum without the Personnel Board's consideration.

**§ 35-50. Annual review of salaries and wages. [Added 4-12-1980 ATM, Art. 32]**

Salaries and wages shall be reviewed by the Personnel Board and Board of Selectmen annually.

**§ 35-51. Determination of wages. [Added 4-12-1980 ATM, Art. 32; amended 9-23-1981 STM, Art. 1; 4-27-1987 ATM, Art. 18; 4-25-1988 ATM, Art. 17; 4-24-1989 ATM, Art. 15; 4-30-1990 ATM, Art. 26; 4-29-1991 ATM, Art. 32; 4-27-1992 ATM, Art. 34; 4-26-1993 ATM, Art. 32]**

The Board of Selectmen shall determine the wages of the Highway Superintendent and the Police Chief, provided that such wages are within the rate ranges set forth in the Classification-Compensation Plan. New hires shall be paid at the lowest wage in the rate range; Personnel Board approval required for paying new hires more than the minimum set forth in the rate range.