Motion 2C 1-29-16 redlined against Motion 4C 12/1/15

TOWN OF WELLESLEY **MASSACHUSETTS**

TOWN MEETING

ARTICLE: 2C

MOTION:

That the Town amend the Town Bylaws by deleting Articles 30, Human Resources, and 31, Classification and Salary Plans, and inserting in place thereof new Articles 30 and 31 as provided below; provided, however, that the Town Clerk shall assign appropriate alphanumeric references to any provisions of the Town Bylaws necessitated by this amendment and, in each case, the assignment of such references shall be identified by a footnote or other convention.

ARTICLE 30. HUMAN RESOURCES

30.1. Human Resources Board Membership. The Town shall have a Human Resources Board consisting of five residents appointed by the Moderator. No member shall be a member of another board, or an officer, or paid employee of the Town; provided, however, that a Town Meeting Member may be a member of the Board. At least two members shall have either education or experience in personnel management or labor relations.

30.2. Term. The term of office of a Human Resource Board member shall be three years, commencing on July 1.

30.3. Human Resources Director. In accordance with the provisions of Section 20.3.b, the Town Manager may appoint a Human Resources Director, and the appointment of any other staff for whom funding has been provided shall be made by the Director.

30.4. Administer Plans. The Director shall administer the Classification and Salary Plans approved pursuant to Article 31, and applicable collective bargaining agreements. The Director shall establish such procedures, consistent with those Plans, as the Director deems necessary for the administration of the Plans.

30.5. Review Work. The Director shall, as necessary and appropriate and consistent with commonly-accepted human resources practices, review the work of all employee positions subject to the Classification Plan. Such reviews may be undertaken to respond to requests by department heads or upon the Director's initiative when the Director becomes aware of

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circumstances that indicate that a review is appropriate. As a result of such review, the Director may recommend and the Board may approve, pursuant to Section 31.2, the addition of a new position to the Classification Plan or reclassification of an existing position within the Classification Plan.

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30.6. Review Salary Plan. The Director shall, from time to time, review the Salary Plan. The Director shall keep informed as to pay rates and policies of other employers comparable to the Town. The Director shall recommend to the Board and the Board may approve any changes to the Salary Plan that are deemed desirable to maintain fair and equitable pay levels.

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30.7. Variations from Salary Plan. Upon the recommendation of the Director, supported by written evidence satisfactory to the Board of special reasons or exceptional circumstances, the Board may authorize an entrance pay rate higher than the mid-point established for a position in the Salary Plan, and such other variations from the Salary Plan as it may deem necessary for the proper functioning of the Town.

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30.8. Recruitment. The Director shall recruit applicants for positions in the Classification Plan.

30.9. Records. The Director shall maintain such records and file such reports as are necessary to comply with fair employment practice laws and the rules of appropriate regulatory agencies, and maintain personnel records of all employees in the Classification Plan, including therein such information as the Director deems desirable.

30.10. Personnel Policies. The Director shall recommend and the Board may approve, following a public hearing with not less than seven days' notice to the department heads and boards to whom the amendment applies, personnel policies and amendments thereto applicable to all boards, officers and employees of the Town except employees of the School Committee and the Municipal Light Board. The Director shall administer procedures and policies for all Town employees.

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30.11. Compliance Advice. The Director shall advise all boards, officers, and officials as to compliance with applicable fair employment practice laws and other applicable state and federal laws and regulations.

30.12. Civil Service Law. Nothing in this article, or in the Salary Plan, shall be construed to conflict with Chapter 31 of the General Laws.

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30.13. Requests for Information. All boards, officers, officials and employees thereof shall furnish such information to the Director as the Director shall reasonably request in the performance of the Director's duties.

30.14. General Provisions. The Board shall also be governed by Articles 2 through 7 of these bylaws and other provisions of these bylaws applicable generally to all boards, except as it is specifically directed by law or a provision of these bylaws to act otherwise.

ARTICLE 31. CLASSIFICATION AND SALARY PLANS

31.1. Classification Plan. The positions of all officers and employees in the service of the Town (whether full-time, part-time, seasonal, casual, special, Civil Service or others) other than those positions under the direction and control of the School Committee or Municipal Light Board, shall be classified by titles in groups set forth in a Classification Plan as approved and, from time to time, amended by the Human Resources Board.

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31.2. New or Changed Positions. Whenever a new position that is required to be classified by Section 31.1 is established or the duties of an existing classified position are significantly changed, the Human Resources Board shall, upon presentation by the Director of Human Resources of satisfactory substantiating data, assign or reclassify such new or changed position to its appropriate group in the Classification Plan; provided, however, that the assignment or reclassification of new or changed positions included in collective bargaining units shall be subject to the negotiation requirements of Chapter 150E of the Massachusetts General Laws.

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31.3. Titles of Positions. No person shall be appointed, employed or paid as an employee in any position that has been classified pursuant to Section 31.1 except under a title set forth in the Classification Plan the duties of which are actually being performed. The job title in the Plan shall be the official title for all purposes having to do with the position and shall be used to designate the position in all payrolls, budget estimates and official reports, and in every other connection involving personnel and fiscal processes.

31.4. Reclassification of Employees. No employee may be reclassified to a position in the Classification and Salary Plan unless the Board determines that such reclassification will be consistent with the parameters of the Classification and Salary Plans. There shall be only one reclassification in any 12-month period for any employee unless the Board determines that unusual circumstances justify an additional reclassification.

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31.5. Job Descriptions. The Director shall maintain written job descriptions of the positions in the Classification Plan, describing the essential characteristics, requirements and general duties of the jobs. The descriptions shall not be construed as an employment contract and shall not be interpreted as complete or limiting definitions of any job. Nothing contained in any job description shall be construed as limiting employees' duty to perform any tasks assigned by department heads, supervisors, or other administrative authority.

31.6. Salary Plan. A Salary Plan shall be established and, from time to time, amended by the Human Resources Board to provide minimum and maximum salaries, or single rate salaries, for the groups and positions in the Classification Plan. The salary range, or rate, of a group shall be the salary range, or rate, for all positions classified in the group.

31.7. Amendment of Plans. The Classification Plan and the Salary Plan may be amended by the Board upon the recommendation of the Director. The procedures for amending the Classification and Salary Plans shall be as follows:

a. For the Classification Plan, upon the Board's receipt of a recommendation from the Director, the Director shall give the department heads and boards to whom the amendment applies at least seven days' notice, and may then consider the proposed amendment.

b. For the Salary Plan, upon the Board's receipt of a recommendation from the Director, the Director shall give the department heads and boards to whom the amendment applies at least seven days' notice and shall provide for public notice in a manner determined by the Board. The Board shall then hold a hearing to consider the proposed amendment.

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