



# **CITY OF SPRINGFIELD**

## **Human Resources Non-Bargaining Policy Manual**

**July 1, 2019**

# POLICY MANUAL

## TABLE OF CONTENTS

### INTRODUCTION

Human Resources Policy Manual

### SECTION I: GENERAL INFORMATION

I-1	Equal Employment Opportunity	6
I-2	Code of Conduct	6
I-3	Attendance	7
I-4	Hours of Operation, Work Schedule, & Overtime	8
I-5	Safety & Workplace Violence	8
I-6	Workers Compensation	8
I-7	Probationary Period	9
I-8	Alcohol and Drug Free Workplace	9
I-9	Disability Accommodation	10
I-10	Hiring of Relatives	10

### SECTION II: COMPENSATION

II-1	Classification and Salary Schedules	10
II-2	Pay & Deductions	11
II-3	Overtime and Compensatory Time	11
II-4	Travel Reimbursement	11
II-5	Regulations Governing the Administration of the Non Bargaining Salary Compensation Plan	12

### SECTION III: BENEFITS

III-1	Vacation	13
III-2	Personal Time	14
III-3	Holiday	14
III-4	Religious Holiday	15
III-5	Sick Leave	15
III-6	Maternity/Parental Leave	17
III-7	Family and Medical Leave	18
III-8	Cancer Screening	20
III-9	Bereavement Leave	20
III-10	Attendance Incentive	21
III-11	Small Necessities Leave Act	21
III-12	FFB	22
III-13	Personal Leave	23
III-14	Military Leave	23
III-15	Court/Jury Duty	25
III-16	Administrative Leave	26
III-17	Health Insurance	26
III-18	COBRA	

III-19	Flexible Spending	27
III-20	Benefit Information	27
III-21	Retirement/OBRA	28
III-22	Employee Assistance Program	28

**SECTION IV: POLICIES**

IV-1	Information Technology Policy	28
IV-2	Sexual Harassment Policy	33
IV-3	Non-Harassment Policy	35
IV-4	Disciplinary and Corrective Actions	36
IV-5	Conflict of Interest	36
IV-6	Domestic Violence Policy	37
IV-7	Drug Free Workplace Policy	40
IV-8	Smoke Free Workplace Policy	40
IV-9	Workplace Violence Policy	41
IV-10	City Motor Vehicle Use Policy	41
IV-11	Inclement Weather	41
IV-12	CORI Policy	42
IV-13	Residency Requirements	43
IV-14	Personnel File Maintenance and Access	44
IV-15	Social Media Policy	44
IV-16	Dress Code Policy	49
IV-17	Pregnant Workers Fairness Act	50

**SECTION V: EMPLOYEE ACKNOWLEDGEMENT**

V-1	Handbook signoff	52
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## **Welcome to the City of Springfield**

This manual has been developed to provide you with an information resource for common work rules, benefits, and policies of the City of Springfield. For new employees, we hope it will make your transition to Springfield easy. For current non-union employees, this handbook attempts to codify the benefits and policies which guide your employment.

Some City positions are covered under collective bargaining agreements while others are not. Depending on the status of your position, your benefits may vary slightly from the information listed here. The manual gives you an overview and tries to provide answers to common questions and concerns. The contents of this manual are not intended to create a collective bargaining agreement or agreement between the City and you. For those employees in a position covered by a collective bargaining agreement, you should refer to the agreement which governs your terms and conditions of employment.

Complete versions of all personnel policies are contained within this manual and on the City of Springfield intranet site under the Human Resources page. If you have questions about the policies outlined here, you should contact your department manager or Human Resources.

The policies summarized in this manual are subject to change at any time in accordance with the City of Springfield Human Resources Policy, or with the applicable collective bargaining agreement. From time to time, you may receive updated information regarding any changes in policy, or the manual may be updated as necessary to reflect changes in policies and procedures and laws. There are specific procedures and forms for many of the policies outlined in this guide. Please direct any questions to your department manager, or go to the Human Resources Department.

Nothing in this manual should be construed as an employment contract, collective bargaining agreement, or guarantee of continued employment. These policies do not create a contract between the City and any employee or group of employees. All employees are employed at will unless covered by separate contract rights set forth in individual contracts or collective bargaining agreements.

## **Human Resource Policy Manual**

The purpose of Human Resource policies is to establish a system of administration that ensures a fair application of the policies.

All non-bargaining positions in the City, except those under the jurisdiction of the School Committee, the Springfield Retirement Board, elected positions, certain positions for which compensation is on a fee basis, or the incumbents render intermittent or casual services shall be subject to the provisions of these policies.

Subject to Human Resources Department review and approval, departmental regulations that establish standards of performance, conduct or action shall continue to be applicable. In general, local department regulations can expand on these policies, but it is expected that they will not contradict them.

These policies are intended to be in accordance with all applicable state and federal laws. In the event that these policies are inconsistent with the applicable state or federal law, the applicable law shall apply.

It is important to note that this document is inclusive in that it addresses all Human Resource policies considered effective as of the date of this policy manual.

### **Right to Amend this Manual**

The City's policies, benefits and rules, as explained in the manual, may be changed from time to time as circumstances, employment legislation, and economic conditions dictate. If and when provisions are changed, non-bargaining employees will be notified. A copy will also be placed in a highly visible location in each work site and on our City of Springfield (COS) Intranet site.

The policies in this manual are to be considered as guidelines. The City of Springfield, at its option, may change, delete, suspend, or discontinue any part or parts of the policies in this manual at any time without prior notice. Any such action will apply to existing as well as future employees with continued employment being the consideration between the employer and the employee. No one other than the Mayor may alter or modify any of the policies in this manual. No statement or promise by a supervisor, manager, or department head may be interpreted as a change in policy, nor will it constitute an agreement with an employee

## **SECTION I – GENERAL INFORMATION**

The City of Springfield endeavors to provide excellent service to city residents and businesses in a cost effective manner, while continually improving the environment of the city and its residents. The City of Springfield, as evidenced in the City's various personnel policies found in this handbook, will not tolerate any form of harassment, discrimination, intimidation, violent act, or unprofessional behavior.

### **I-1 Equal Employment Opportunity**

It is the policy of the City of Springfield not to tolerate behavior, harassment, discrimination or prejudice based on race, color, religion, sex (including sexual harassment and pregnancy discrimination), sexual orientation, gender identity, national origin, age (40 years of age and over), genetic information, or disability (physical or mental). We will also provide reasonable accommodations for applicants and employees with disabilities.

The City of Springfield shall take affirmative action to insure that applicants and employees are treated without discrimination based on any protected group. Such action shall include, but not be limited to, the following: employment, promotion, demotion, transfer, recruitment advertising, layoff, termination, rate of pay, or training, including apprenticeships.

It is the policy of the City of Springfield to manage the diversity of our employees by fostering an inclusive work force, building an environment that respects the individual, promoting respect for diverse ideas, opinions, and experiences, and offering opportunities for all employees to develop to their full potential.

The City of Springfield has adopted an Affirmative Action Plan to implement its policy of equal opportunity in employment. The Chief Diversity and Inclusion Officer has the responsibility of assisting in the implementation of the Affirmative Action Plan and to monitor the City's compliance with its Equal Opportunity Policy and Affirmative Action procedures.

### **I-2 Code of Conduct**

Public employees are held to high standards and your professional actions are very much a matter of public record. Chapter 268A of the Massachusetts General Laws governs your conduct as a public employee. The state Ethics Commission guidelines are generally summarized as follows:

- You may not ask for or accept anything in exchange for agreeing to perform or not perform an official act.
- You may not ask for or accept anything for yourself or your family worth \$50 or more in a one year period from anyone with whom you have official dealings.
- You may not hire, promote, supervise or otherwise participate in the employment of your immediate family or your spouse's immediate family.
- You may not take any type of official action which will affect the financial interest of your immediate family.

- You may not take any official action affecting your own financial interest or the financial interest of a business partner.
- Unless you qualify for an exemption because your position was designated “special”, you may not have more than one job with the same municipality.
- Except under special circumstances outlined in section 20 of the law, you may not have a financial interest in a collective bargaining agreement with your public employer.
- You may not represent anyone but your public employer in any matter in which your public employer has an interest.
- You may not 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- you may not 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.
- You may not use your official position to obtain unwarranted privileges or any type of special treatment for yourself or anyone else.
- You may not use public resources for political or private purposes.
- You may not, after leaving public service, take a job involving collective bargaining agreements or any other particular matter in which you participated as a public employee. More information on length of time for restrictions can be found at [www.mass.gov/ethics/sum13.htm](http://www.mass.gov/ethics/sum13.htm)

Also see IV-5 Conflict of Interest in this manual.

There are exceptions to these rules, and you may seek free and confidential legal advice from the State Ethics Commission Attorney-of-the-Day at 888-485-4766 or refer to the site: [www.mass.gov/ethics](http://www.mass.gov/ethics).

Chapter 55 of the General Laws regulates your political activity. Appointed, compensated employees may not directly or indirectly solicit contributions or anything else of value for campaigns or other political purposes. There can be no political campaigning on City property. If you have questions, or require more information contact the Office of Campaign and Political Finance at 800-462-6273.

### **I-3 Attendance**

Regular attendance is essential to the City’s efficient operation and is a necessary condition of employment. When you are absent from work, schedules and customer commitments fall behind, and other employees must assume added workloads.

You are expected to report to work as scheduled and on time. If it is impossible to report for work as scheduled or on time, you should inform your supervisor as early as possible before your starting time. If your supervisor is unavailable, you should leave a voice message on the department phone line. If you will be absent for more than

one day or shift, you or a family member should continue to notify your supervisor on a daily basis unless otherwise arranged. Calling in is the responsibility of every employee who is absent. Unreported and unexcused absences are very serious and may subject you to disciplinary action, up to and including termination. Please see section III-5 on the proper procedure for documenting your sick leave.

#### **I-4 Hours of Operation, Work Schedules, and Overtime**

The standard workweek for full-time personnel is thirty-seven and one-half (37.5) hours. Note that certain departments may have a different standard work-week based on the unique nature of their work.

##### **Exempt Employees**

Employee who are exempt, based on the provisions of the Fair Labor Standards Act (FLSA), are expected to work the hours necessary to complete their jobs assignments in a professional manner. Department heads are authorized to exercise discretion in modifying schedules from time to time in recognition of excess hours worked.

##### **Non-Exempt Employees**

Non-exempt employees shall be compensated at the rate of one and one half times their regular hourly rate for each hour or fraction thereof for authorized services rendered in excess of forty (40) hours in a work week, in accordance with the provisions of the FLSA. Department heads shall be responsible for the control and authorization of overtime. Overtime shall be authorized at the discretion of a department head.

##### **Adjusted Work Hours**

Flextime, adjusted, or part-time alternative schedules may be approved with benefits prorated by the Human Resources Director upon recommendation of the department head.

#### **I-5 Safety & Workplace Violence**

The City of Springfield is committed to maintaining a safe working environment and promoting work practices that will ensure the safety of our employees. The City will make every effort to keep equipment in safe working condition and make sure that all safety devices are working properly. Employees who are assigned safety equipment are expected to use that equipment and maintain it in good working condition and report any defective equipment or material immediately to their supervisor.

#### **I-6 Workers Compensation**

If, in spite of our efforts to ensure safe working conditions, an employee has an accident or becomes ill on the job, it should be reported to the supervisor immediately. The City is covered by Worker's Compensation law and follows strict reporting and filing procedures for all work related injuries. Police and Fire employees are covered for work related injuries under M.G.L. Chapter 41 section 111F. Department managers and supervisors will insure that prompt medical attention is provided for the employee. Injury reports must be completed as soon as the employee is capable of doing this. The City recommends using Concentra Urgent Care, which provides specialized urgent care to employees who are injured on duty. The Concentra facility is located at 140 Carando Drive, Springfield MA



01104. To reach by phone, call 413-746-4006. However, in cases of emergency, always call 911 to ensure safe and quick transport to an emergency facility.

### **I-7 Probationary Period**

The probationary period shall be regarded as an integral part of the examination process and shall be utilized by supervisors and Department Heads for closely observing the employee's work and conduct, for securing the most effective adjustment of a new employee, or an employee to a new position, and for separating any employee whose performance does not meet the required work standards.

Every person appointed to a full-time or part-time position will be required to complete successfully a probationary period. The probationary period begins immediately upon assumption of duties or promotion and continues for six (6) months. If an employee's job is temporarily interrupted during the probationary period, upon return, they will be required to complete the remainder of the probationary period and given credit for the time already served.

During this time new employees are accruing sick, personal, and vacation time and upon successful completion of the probationary period will be allowed to use accrued time.

### **I-8 Alcohol and Drug Free Workplace**

The City realizes that the misuse of drugs and alcohol impairs employee health and productivity. Drug and alcohol problems result in unsafe working conditions for all employees and customers. The City is committed to maintaining a productive, safe, and healthy work environment, free of unauthorized drug and alcohol use, in compliance with the Drug Free Workplace Act of 1988. Any employee who seeks assistance through the Human Resources Department may be confidentially referred to drug and alcohol rehabilitation programs. Employees seeking assistance may also contact the Employee Assistance Program at 1-800-252-4555.

Any employee involved in the unlawful use, sale, manufacturing, dispensing or possession of controlled substances (including cannabis), illicit drugs and alcohol on City premises or work sites, or working under the influence of such substances or who is impaired at work as a result of the use of lawful substances, will be subject to disciplinary action up to and including dismissal and referral for prosecution.

In addition, the City has developed and maintains a comprehensive Drug and Alcohol Policy and CDL drug testing policy in accordance with the Department of Transportation 1991 Omnibus Transportation Employee Testing Act, as amended.

As mandated by the Drug-Free Workplace Act of 1988, employees must, as a condition of employment, abide by the terms of the above policy and report any conviction under criminal drug statutes for violations occurring on or off City premises while conducting City business. A report of a conviction must be made within five (5) days after the conviction.

## **I-9 Disability Accommodations**

The City of Springfield is committed to fully complying with the American with Disabilities Act (ADA). We are also committed to ensuring equal opportunity in employment for qualified person with disabilities. We conduct all our employment practices and activities on a non-discriminatory basis. The City will provide reasonable accommodation to qualified handicapped or disabled applicants and employees. An accommodation may be considered reasonable if it does not impose an undue hardship on the City.

## **I-10 Hiring of Relatives**

No department or division head shall hire into or have working in their department or division anyone who is related to them. Related shall mean the employee's father, mother, brother, sister, spouse, child, grandparents, grandchildren, aunt, uncle, niece, nephew and the employee's spouse's father, mother, son, daughter, grandparents, grandchildren, brother, sister, aunt, uncle, niece, nephew or other member of the employee's household for whom the employee has the verified status of a legal guardian.

No local official or employee shall be the immediate supervisor, or that supervisor's immediate supervisor, of a related person. The Human Resources Department will work with affected related persons to resolve any issues that exist related to this policy.

No official or employee of the City shall influence or attempt to influence the hiring, transfer, suspension, promotion, discharge, reward, discipline, or the adjustment of grievances of a related person.

No official or employee of the City shall influence, or attempt to influence the awarding of a City contract to a related person. No local official or employee shall be responsible for managing a City contract with a related person.

# **SECTION II – COMPENSATION**

## **II-1 Classification and Salary Schedules**

Most non-union positions are assigned to a Classification and Pay Schedule. There are currently four such schedules: Executive Management (EM), Middle Management (MM), Technical, Professional and Administrative (TPA), and Operational Support Services (OSS). The positions are point-rated and assigned to the appropriate schedule at the appropriate grade based on the job description.

**Permanent Full Time Employees:** Regular service in a position having establishing a minimum of 37.5 hours per week over 52 weeks per year. Some full time positions are regularly scheduled 40 hours per week over 52 weeks per year.

**Permanent Part Time Employees:** Regular service in a position having established of less than 37.5 over 52 weeks per year. Benefits eligible part time employees are regularly scheduled to work a minimum of 18.75 hours per week over 52 weeks per year.

**Temporary Employees:** May be either full or part time and are usually appointed for a set period of time. These employees are typically a backfill for a permanent employee on a leave of absence. Temporary employees are benefit eligible if working for more than 6 months and over 18.75 hours per week.

**Seasonal Employees:** May be either full or part time and are employed for a particular season lasting no longer than 20 weeks per year.

## **II-2 Pay and Deductions**

Employees of the City of Springfield are paid on a weekly basis. The City reserves the right to pay employees bi-weekly. The City encourages you to use direct deposit. Please be sure to review your pay advice weekly for appropriate deductions and pays, City wide notices and benefits information. Any payroll audit revealing incorrect pays or deductions will result in a retroactive adjustment to make up for the incorrect or missed pays and deductions.

New and rehired employees are required to complete an Employee's Withholding Allowance Certificate (W-4) and the State Income Tax enrollment form. Automatic payroll deductions include Federal and State Withholding tax, Medicare tax (unless you were hired prior to April 1, 1986 and have not had a break in service), and City Retirement or OBRA. Social Security taxes are not deducted from public employee's salary.

The City encourages employees to utilize the electronic distribution of payroll advices.

## **II-3 Overtime and Compensatory Time**

The Fair Labor Standards Act (FLSA) specifies that every position is either covered by its provisions or not, generally referred to as "exempt" or "non-exempt". Non-exempt employees are eligible to receive overtime pay if they are assigned to work more than 40 hours in a given work week, in accordance with the FLSA. Under the Federal regulations, holiday, vacation, and sick time are not included in hours used to determine overtime eligibility. Overtime pay equals 1.5 times your regular hourly rate. All overtime must be approved by the department manager or designee in advance.

Additionally, the City's collective bargaining agreements have various overtime provisions that may be additional or different than that required under the FLSA. For example, an employee may be eligible for overtime under a union collective bargaining agreement, but exempt under the FLSA.

## **II-4 Travel Reimbursement**

The City will reimburse employees for travel expenses which are directly related to their City employment. Some employees have a travel stipend, while others are reimbursed at the approved mileage rate for travel using your own

vehicle for approved City business. Your supervisor will advise you if you are eligible for travel reimbursement. In order to receive reimbursement, you must submit expense reports for mileage and tolls. Vehicle use for City business shall be in accordance with the City Vehicle Use policy.

## **II-5 Regulations Governing the Administration of the Non Bargaining Salary Compensation Plan**

### **Section 1: Entrance Pay**

On appointment, non-bargaining unit employees shall be placed at the entry level of the salary range assigned to the classification to which appointed. However, with the prior approval by the Mayor, CAFO, and the Director of Human Resources and Labor Relations or designee, appointment may be made at other than entry level based upon education and/or experience. The approved rate of compensation shall be indicated in the offer letter to the employee.

### **Section 2: Change in Classification**

When a non-bargaining employee is appointed, promoted, or transferred to a new classification with a higher salary range, they shall enter the new classification at a rate which exceeds their current salary by at least 5 %. If such employee returns to a position in their old classification, they shall reenter at the salary in their old classification which they would have attained had their service in the old classification remained uninterrupted.

When a non-bargaining employee is appointed or transferred to a new classification with no change in salary range, they shall enter the new classification with no change in salary compensation unless their education/experience in the new classification warrants an increase. Such increase must be pre-approved by the PRC.

When a non-bargaining employee is appointed, demoted, or transferred to a new classification which is in a lower salary range, they shall enter the classification at a five percent reduction to their current salary provided such amount is within the new salary range. If 5% is less than the entry rate of pay in the new range, they shall enter the new range at the entry rate of pay. If 5% is above the maximum rate of pay in the new range, they shall enter the new range at the maximum rate of pay. In no instance, should the employee's salary in the new range exceed their salary in the old range.

### **Section 3: Change in Classification to "Acting" Status**

When a non-bargaining employee is appointed to "Acting" status in a higher classification, they shall enter the new classification at the entry level rate of pay, provided that it exceeds their current rate of pay by at least 5 %. However, with the approval the PRC, appointment may be made at other than entry level based upon education and/or experience and performance.

### **Section 4: Change in Salary Range**

All requests for a change in the salary range of a position must be submitted to the Human Resources Department. Requests must include justification for such as well as an updated Job Content Questionnaire (JCQ). Once the

position has been reviewed and graded, the request shall be submitted to the PRC. If the salary range assigned to a classification is upgraded, all incumbents in that classification shall be placed at the same range penetration in the new range as they were in the old salary range or all incumbents shall receive up to a 5 % increase above their current rate of compensation provided it is within the minimum and maximum rates of the new range unless approved otherwise by the PRC.

**Section 5: Compensation Change Request – Salary Increase**

All requests for individual employee compensation increases must be submitted to the Human Resources Department. The requests must include the justification for such as well as a copy of the employee’s most recent performance evaluation. The requests shall be submitted to the PRC for review and approval. Compensation increases shall generally not exceed 5% and must not exceed the maximum rate of pay for the respective classification. Only one compensation increase per employee will be considered per fiscal year.

The Mayor has sole discretion in the approval of compensation increases for Department Heads.

**Section 6: PRC Meeting Attendance**

Department Heads are invited to attend any PRC meeting at which they have a pending requisition. Department Head (or designee) attendance at a PRC meeting is required when the submitted requisition is for a new position, is for a compensation change, is for a reclassification of a position, or is part of a reorganization of their department. PRC meetings are held monthly.

Department Heads should contact the HR Department prior to such meetings, if the requisition is for a backfill, as some backfills may be filled without the need for a formal PRC meeting.

Department Heads will be notified of actions taken by the PRC after each meeting.

Department Heads are reminded that they are not authorized to negotiate salary or vacation benefits with current or prospective employees or promise any salary changes to any current employees at any time.

**SECTION III – BENEFITS**

**III-1 Vacation**

A full time employee shall accrue vacation with pay credited for each full month worked in each calendar year in accordance with the following schedule. The amount of vacation time credited each month shall be one-twelfth of the annual vacation accrual. Employees, upon completion of six (6) months of continuous service, are eligible to take their accrued time as outlined below. Benefit eligible, part-time employees (see Section III-17) shall have their vacation time pro-rated.

<u>Length of Service</u>	<u>Annual Vacation Accrual</u>
Up to five (5) years of service*	Two (2) weeks

Upon completion of five (5) to ten (10) years of service	Three (3) weeks
Upon completion of ten (10) to twenty (20) years of service	Four (4) weeks
Upon completion of twenty (20) or more years of service	Five (5) weeks

For new employees, the City may, but is not required to, recognize previous service, regardless of the employer, when determining beginning vacation allowances. All recognition of previous service must be approved by the department head and Human Resource Director. In addition, if a prospective employee has pre-planned a vacation scheduled within the first six months of employment, the hiring manager may, with department Head and Human Resources Director approval, negotiate to allow the employee to use accrued vacation time prior to the end of the 6 month waiting period. The probationary period will be extended by any vacation time taken during said period.

All vacations are subject to approval by immediate supervisors or their designees in advance.

Vacation time must be taken in minimum increments of one (1) hour.

If an employee's vacation account exceeds 1.5 times their annual accrual, they will not earn additional time until their account returns to a 1.5 balance.

Employees who have completed their six (6) month probationary period and who terminate service without having used their accrued vacation shall be paid an amount, in lieu of vacation, as required by law.

\* Years of service are based on the total accumulated time.

### **III-2 Personal Time**

All full time and benefit eligible part-time employees, upon completion of six (6) months of continuous service, shall be allowed to convert up to three (3) days, earned during a calendar year, of unused accumulated sick leave to personal leave during each calendar year. Personal leave shall not be cumulative from year to year and must be taken in minimum increments of 1 hour.

Request to use personal leave must be made to supervisors as early as possible and, except in an emergency or unforeseeable circumstance, not less than one (1) working day in advance.

### **III-3 Holidays**

Each full time employee shall be granted leave with pay on the days designated by law for observance of the following holidays. Benefit-eligible, part-time employees shall have their Holiday Leaves pro-rated.

New Year's Day	Independence Day
Martin Luther King Day	Labor Day
Presidents' Day	Columbus Day
Patriot's Day	Veteran's Day
Memorial Day	Thanksgiving Day
	Christmas Day

In order to receive pay for any of the holidays enumerated above the employee must actually work on their last scheduled working day immediately preceding and their first scheduled working day immediately following the holiday in question unless prevented from doing so for valid reasons, substantial evidence of which must be submitted to the Department Head.

If a holiday occurs on Saturday or Sunday it shall be, as determined by State government, observed on either the Friday preceding, or the Monday following the holiday.

If a holiday occurs during the vacation period of a full time employee, the employee shall not be charged for a vacation day on the holiday.

If a holiday falls on a normally scheduled work day for a benefit-eligible, part-time employee, the employee will receive their normally scheduled hours for that day.

The number of hours for which an employee is paid on a holiday shall be considered time worked for overtime purposes. In the event that an exempt employee works a holiday please see section I – 4: Hours of Operations, Work Schedules, and Overtime.

### **III-4 Religious Holiday**

The City of Springfield does not discriminate against employees because of their religious beliefs. The City will make reasonable accommodation for the religious practices of employees including modifying an employee's work schedule to enable the employee to have certain days off.

The City will not compensate the employee for time lost due to religious holidays. Employees may use personal or vacation days or take unpaid leave in order to observe religious holidays.

### **III-5 Sick Leave**

Sick leave is a benefit limited to absences caused by an employee's illness, injury, exposure to contagious disease, illness, or disability arising out of or caused by pregnancy or childbirth and/or illness or injury of an employee's immediate family that requires the employee to care for the family member.

“Immediate” family shall mean father, mother, brother, sister, spouse, child, spouse’s father or mother, spouse’s son or daughter, grandparents, and grandchildren or other member of the employee’s household for whom the employee has the verified status of a legal guardian.

Subject to limitation in the Human Resource policies, all full time and benefit eligible part-time employees, upon completion of six (6) months of continuous service for the City, shall be eligible for up to fifteen (15) days of sick leave annually without loss of pay for absences caused by legitimate illness or injury. Sick leave shall accrue monthly in increments of a day and a quarter per month worked. During any calendar month in which an employee accumulates three (3) or more separate absences due to illness and / or any unauthorized absence whether with or without pay, such employee shall not accrue such credit nor be entitled to said day and one quarter.

Employees shall be entitled to sick leave without loss of pay if the employee has notified their supervisor, or designee, of the absence and general nature thereof within one hour prior to the start of the workday, or as soon thereafter as practicable.

It is recognized that employees may become sick or need to utilize sick leave during the workday. Said employees may use sick leave, subject to the same provisions of this policy, in such instances. Employees shall notify their immediate supervisor before leaving work.

Sick leave may be used in minimum increments of one (1) hour.

The City requires employees absent from work for more than two (2) consecutive days due to their own or a family member’s illness, injury, or disability to provide medical documentation concerning the nature, severity, and duration of the illness, injury, or disability. In addition, the City reserves the right to request an employee to provide documentation from their physician regarding their fitness to return to work. Also, the City may require an employee to be examined by a City selected physician for such purpose at the City’s expense to determine the employee's fitness to return to work.

If an employee has been warned of sick leave abuse, the City, in its exclusive discretion, may require a written certificate from a City selected physician establishing incapacity, illness, or injury as a condition of payment of sick leave benefits. The City shall initiate disciplinary action for employees engaged in sick leave abuse. If an employee uses sick leave for purposes other than legitimate illness or injury, the employee may, at the City's discretion, be subject to discipline up to and including discharge.

Sick leave payments and credits shall automatically terminate on the date of the retirement or separation from service of the city of an employee.

If an employee is transferred from one (1) city department to another city department, any accrued sick leave shall be credited to the employee in his/her new department. An employee who transfers to become a police officer will not be credited with any accrued sick leave as police officers have a different sick leave benefit.



### **Compensation for Unused Time**

Sick time compensation for unused time shall be administered in the following manner:

Upon retirement or death, an employee, irrespective of the position held, shall be paid the rate of thirty dollars (\$30) per day or fifteen percent (15%) of the current day's salary, whichever is greater regardless of status, for all sick leave accrued by said employee at the time of the employee's death while in the service of the city, or retirement from municipal service. Such payment will be made in one (1) lump sum. Further, in the event of death, such sum as would otherwise have been payable to the employee shall be paid to that person whom such employee has designated as his/her beneficiary on his/her municipal life insurance policy, and if none, to his estate.

Sick leave compensation for unused time will be paid for a maximum of 225 days for all employees hired from November 1, 2008 on. All employees hired before November 1, 2008 will be paid for all accrued time and shall not be subject to the 225 day cap.

### **III-6 Maternity/Parental Leave**

#### **Parental**

A City of Springfield employee is entitled to Parental Leave for the birth, adoption, or placement of a child. Both male and female employees are equally entitled to Parental Leave. Under the Massachusetts Maternity Leave Act (MMLA), an employee who has completed a probationary period of three (3) months of service and is employed on a regular basis for twenty (20) hours or more per week shall be granted up to eight (8) weeks of unpaid leave. If both parents are employees of the City, they will only be entitled to eight (8) weeks of parental leave in aggregate for the birth or adoption of the same child. Leave taken pursuant to MMLA will be counted against an employee's annual FMLA leave allowance.

Under the Family and Medical Leave Act (FMLA), an employee who has been employed with the City for at least twelve months and has worked at least 1250 hours during the twelve month period preceding the commencement of the leave, may take a total of twelve (12) weeks of unpaid leave for the birth of the employee's child or placement of a child with the employee through adoption or foster care.

In the event that an employee is eligible for both Family and Medical Leave Act (FMLA) and Massachusetts Maternity Leave Act (MMLA), that employee's leave will be charged to both forms of leave simultaneously.

For proper planning purposes, an employee requesting leave pursuant to this policy is encouraged to notify their supervisor as soon as possible, except in the event of an emergency.

Requests must be made on the form provided by the Human Resources Department and must be submitted to the Assistant Director of Human Resources. The application form for Parental Leave is available on the City's Human Resources web page.

An employee that requests a leave of absence under MMLA will not be required to use any accrued vacation, sick, or personal time during this period. The option to not use accrued time during this leave must be elected at the time of the leave request. In the event that the employee runs out of time under MMLA and elects to continue their current FMLA for the additional four (4) weeks, the employee will then be required to use any accrued vacation, sick or personal time. Note: Sick time can only be used for the duration of the medical disability associated with childbirth.

If accrued paid time extends beyond eight (8) weeks (MMLA) or twelve (12) weeks (FMLA), an employee will be entitled to use said leave, if eligible, until exhausted. In either case, an employee must return when their leave expires, or notify their manager by their return to work date if they are not returning. An employee is also asked to advise management, as soon as possible, if they do not intend to return to work.

### **III-7 Family and Medical Leave Act (FMLA)**

Family and Medical Leave Act (FMLA) entitles eligible employees of covered employers to take unpaid, job-protected leave for specified family and medical reasons with continuation of group health insurance coverage under the same terms and conditions as if the employee had not taken leave.

To be eligible for FMLA leave, an individual must meet the following criteria:

- Be employed by a covered employer and work at a worksite within 75 miles of which that employer employs at least 50 people;
- Have worked at least 12 months (which do not have to be consecutive) for the employer; and
- Have worked at least 1,250 hours during the 12 months immediately before the date FMLA leave begins.

The FMLA entitles eligible employees of covered employers to take job-protected, unpaid leave for specified family and medical reasons. Eligible employees are entitled to twelve (12) workweeks of leave in any 12-month period for:

- Birth and care of the employee's child, within one year of birth
- Placement with the employee of a child for adoption or foster care, within one year of the placement
- Care of an immediate family member (spouse, child, parent) who has a serious health condition
- For the employee's own serious health condition that makes the employee unable to perform the essential functions of his or her job
- Any qualifying exigency arising out of the fact that the employee's spouse, son, daughter, or parent is on active duty or has been notified of an impending call or order to active duty in the U.S. National Guard or Reserves in support of a contingency operation. Qualifying exigencies may include:
  - Attending certain military events;
  - Arranging for alternative child care;
  - Addressing certain financial and legal arrangements;
  - Attending certain counseling sessions; and

- Attending post-deployment reintegration briefings

Twenty-six (26) workweeks of leave during a single 12-month period are provided to care for a covered service member with a serious injury or illness if the employee is the spouse, son, daughter, parent, or next of kin of the service member (Military Caregiver Leave). A covered service member is:

- a current member of the Armed Forces, including a member of the National Guard or Reserves who:
  - Is undergoing medical treatment, recuperation, or therapy;
  - Is otherwise in outpatient status; or
  - Is otherwise on the temporary disability retired list for a serious injury or illness\*
- a veteran who was discharged or released under conditions other than dishonorable at any time during the five-year period prior to the first date the eligible employee takes FMLA to care for the covered veteran, and who is undergoing medical treatment, recuperation, or therapy for a serious injury or illness.\*

\*The FMLA definitions of “serious injury or illness” for current service members and veterans are distinct from the FMLA definitions of “serious health condition.”

Employees requesting leave pursuant to this policy must notify the City at least thirty (30) days prior to the anticipated leave. If such leave is not foreseeable, employees must notify the City as soon as practicable. For purposes of calculating entitlement of such leave, the twelve (12) month period begins to run on the first day FMLA leave is taken.

In order to be eligible for leave under this policy, employees shall provide certification from a health care provider to substantiate any leave due to the health condition of the employee’s spouse, child, or parent.

Requests must be made on the form provided by the Human Resources Department and must be submitted to the Assistant Director of Human Resources. The required forms are available on the City’s Human Resources web page.

The City will continue its contributions to group health plan premiums for employees on FMLA leave. Employees shall pay their applicable percentage of the premium while on such leave, or risk loss of coverage.

Employees on FMLA leave must use any accrued vacation and personal time, while on such leave. In addition, employees must use any accrued sick time in the event that they are taking FMLA leave for a purpose for which sick time can be used.

The City may request recertification for the serious health condition of the employee or the employee’s family member when circumstances have changed significantly, or if the employer receives information casting doubt on the reason given for the absence, or if the employee seeks an extension of his or her leave. Otherwise, the City may request recertification for the serious health condition of the employee or the employee’s family member every six months in connection with an FMLA absence, or in some instances more frequently.

The City may require an employee on FMLA leave to report periodically on the employee's status and intent to return to work.

Upon the termination of FMLA leave, employees shall be restored to their same or similar position. Before reinstatement, an employee taking leave for an employee's own serious health condition that renders the employee unable to perform the functions of their position must present a certification from a health care provider that the employee is medically able to return to work.

### **III-8 Cancer Screening**

It is the policy of the City of Springfield to promote and encourage the health and welfare of its municipal employees. Cancer is recognized as a major cause of death of adults in the greater Springfield region. The City realizes the distinct advantages of regular pre-cancer screening. Early detection is essential to the prevention of all forms of cancer, and Springfield is fortunate to be the home to excellent medical facilities dedicated to the prevention and treatment of cancer and other illness. Cancer Screening will allow each employee to use up to four (4) hours of paid time on an annual basis for the purpose of undergoing pre-cancer screening.

The types of cancer screening permitted under this benefit are: lung, colon, breast, prostate, skin, thyroid, lymph nodes, oral cavity, reproductive organs, or any other form of cancer deemed appropriate for screening by the Springfield Department of Health and Human Services.

The appointing authority may require submission of medical documents to verify the employee's screening.

The four-hour period for screening cannot be taken in blocks of time, but rather must be taken in one instance.

### **III-9 Bereavement Leave**

Employees shall be granted leave of absence with pay in the event of death in the employee's immediate family. Such leave may extend from the time the employee receives notification of the death to the end of the first work day following the day of the funeral, or memorial service, not exceeding a period of five (5) work days. In the event that there is an extended delay before the funeral or memorial service, with supervisor's approval, the five work days may not need to be taken consecutively.

"Immediate family" shall mean the employee's father, mother, brother, sister, spouse, child, grandparents, or grandchildren, and the employee's spouse's father, mother, son, daughter, grandchildren and/ or other members of the employee's household.

In the event the funeral, or memorial service, of the employee's aunt, uncle, niece, nephew, first cousin, spouse's brother, sister, or grandparent occurs on a work day, the employee shall be granted one (1) day of leave with pay to attend the funeral or memorial service.

### **III-10 Attendance Incentive**

Incentive days can be earned by all full time and benefit eligible part-time employees, as detailed below, in recognition for good attendance.

For purposes of earning incentive days, the calendar year is broken down into three (3) incentive periods:

1. Period one: The period between January 1 and April 30, inclusive.
2. Period two: The period between May 1 and August 31, inclusive.
3. Period three: The period between September 1 and December 31, inclusive.

An employee who is not absent more than one (1) instance due to a disqualifying absence or who is tardy not more than three (3) instances in excess of fifteen minutes per instance in an incentive period, shall earn an incentive day that incentive period.

Such earned incentive day shall be taken within the next succeeding incentive period. There shall be no accumulation of an earned incentive day to any succeeding incentive period. Such incentive leave shall be granted by the employer at such a time as in its' opinion will cause the least interference with the performance of the regular work of the city. In no event will days earned be convertible into monetary buyback.

For purposes hereunder, the following are to be categorized as disqualifying absences:

1. Absence due to sick leave beyond one (1) instance in the incentive period.
2. Absence due to workmen's' compensation lost time within a period.
3. Absence due to unauthorized leave within a period.
4. Absence due to a leave of absence or maternity leave within a period.

For purposes hereunder, the following are to be categorized as qualifying absences:

1. An absence due to authorized vacation leave or a day taken pursuant to this program.
2. An absence due to jury duty.
3. An absence due to authorized bereavement leave.
4. An absence due to holiday leave.
5. An absence due to personal leave.
6. An absence due to authorized military leave, authorized time for civil service examination, and time lost to attend an industrial accident board meeting.

### **III-11 Small Necessities Leave Act (SNLA)**

The Commonwealth of Massachusetts enacted the Small Necessities Leave Act in 1998 mandating that certain eligible employees be permitted to take up to twenty-four (24) hours of unpaid leave during a twelve (12) month period for purposes specified in the Act. As detailed below, the City has defined standards for administering this leave.

### **City Standards for Administering Small Necessities Leave Act**

- The City will grant leave to all employees who meet the eligibility requirements specified in the Act. The employee must have been employed for at least twelve (12) months by the employer from whom the leave is requested. And, the employee must have provided at least one thousand two hundred and fifty (1,250) hours of service to the employer during the previous twelve (12) month period.
- SNLA leave is unpaid.
- The City will grant leave for the purposes specified in the Act: to participate in school activities directly related to the educational advancement of a son or daughter of the employee, such as parent-teacher conferences or interviewing for a new school; to accompany the son or daughter of the employee to routine medical or dental appointments, such as check-ups or vaccinations; to accompany an elderly relative (defined as an individual of at least 60 years of age who is related by blood or marriage to the employee, including a parent) to routine medical or dental appointments or appointments for other professional services related to the elder's care, such as interviewing at nursing or group homes.
- The City will administer the leave on a rolling 12 month basis. For purposes of calculating entitlement, the 12 month period begins to run on the first day SNLA leave is taken. Eligible employees will, therefore, be eligible for up to twenty-four (24) hours of SNLA leave in each 12 month period.
- The City will require that employees take the leave in minimum increments of no less than one (1) hour.

The City will allow, but will not require, employees to use any of their accrued paid vacation or sick leave for any of the SNLA purposes as long as the specific purpose is normally covered by a purpose for which sick time can be used.

- The City will require a written request for, and certification of leave in accordance with the lead time requirements specified in the Act. If the need for leave is foreseeable, the employee must request the leave not later than seven (7) days in advance. If the need is not foreseeable, the employee must notify the employer as soon as practicable.
- In cases of an emergency, the City will accept a verbal request to be followed up with a written request at the earliest practical time.
- Departments will submit the completed Request and Certification to Human Resources when received to be filed in the employee's personnel file.

### **III-12 Family Friendly Benefit Program (FFBP)**

All non-bargaining employees working 20 hours or more per week who are parents and/or legal guardians of school age children (preschool through high school) shall be allowed to use four (4) hours of paid time per school year for a school related activity. The words "school-related activities" shall not cover volunteerism in the schools.

It shall be the responsibility of the employee to make appropriate arrangements with his/her department head for each absence to ensure adequate coverage. This benefit will run concurrently with the Small Necessities Leave Act.

### **III-13 Personal Leave**

In an effort to recognize the need of employees who require time off in addition to other types of leave, the department head may consider an unpaid personal leave of absence without pay.

#### **Eligibility**

All regular employees employed by the City and have successfully passed their probationary period are eligible to apply for an unpaid personal leave of absence. Job performance, absenteeism, and departmental requirements all will be taken into consideration before a request is approved. Approvals of the immediate supervisor, department director, and human resources are required. Requests for unpaid personal leave may be denied or granted for any reason or no reason and are within the sole discretion of the City. If approved the employee is responsible for 100% of the insurance cost during the period of absence.

#### **Process**

##### ***Employee***

An eligible employee should submit a request in writing to his or her immediate supervisor.

##### ***Supervisor***

The immediate supervisor will:

- Review the request taking workload, scheduling, and departmental requirements into consideration.
- Make a recommendation to and obtain a decision from the department director/manager.
- Submit the department-level decision to human resources for final approval.
- Return a decision to the employee as soon as feasible after receipt of the written request.

If the request is approved, the supervisor will submit a Change of Status form to human resources as soon as practicable. Once the employee returns, the supervisor should complete a Change of Status form returning the employee to active status and submit to human resources.

#### **Return to work or extension of leave**

An employee is required to return from the unpaid personal leave on the originally scheduled return date. If the employee is unable to return, he or she must request an extension of the leave in writing. If the extension is declined, the employee must then return to work on the originally scheduled return date or be considered to have voluntarily resigned from his or her employment. Extensions of leave will be considered on a case-by-case basis.

### **III-14 Military Leave**

All employees who have been called to active duty must submit a copy of their military orders to their appointing authority to be able to qualify for the municipal benefits detailed in this policy. In accordance with the Uniformed Services Employment and Reemployment Rights Act (USERRA), the cumulative length of service that causes an employee's absence from a position may not exceed five (5) years and is subject to the provisions of USERRA.

Eligibility for these benefits is governed by applicable state and federal law, including, but not limited to, the USERRA.

### **Compensation**

Employees who are called or volunteer for active duty will receive their full pay from the City, in accordance with M.G.L., Ch. 33, Sec. 59, for the first seventeen (17) calendar days, per federal fiscal year (October 1<sup>st</sup> – September 30<sup>th</sup>), after their activation. If activated by the National Guard, employees will receive full City pay for the first thirty-four (34) calendar days, per state fiscal year (July 1<sup>st</sup> – June 30<sup>th</sup>), of activation. Therefore, a City employee on his/her annual tour of duty as a member of the Reserves or National Guard is entitled to their regular City pay for as many regular work days that fall within the first seventeen (17) calendar days (or within thirty-four (34) calendar days if called up by the National Guard) of such tour. After these periods of full City pay, the City will make up any difference in gross pay between what the employee receives from the military (including all entitlements such as housing, subsistence, bonuses, etc.) compared to what they would have made in their usual capacity with the city. The City rate used for this calculation will be the employee's regular gross rate of pay, and shall not include any calculations for lost overtime or other additional compensation such as Quinn Bill payments. It is the employee's responsibility to submit their military Leave and Earnings Statement to the department head so that the City can provide allowable reimbursements.

### **Health Insurance**

Employees on active duty who are enrolled in the City's health insurance program will have two (2) options. They may elect to discontinue coverage with the City and obtain insurance coverage provided by the federal government. Alternatively, they may choose to remain in their City plan and continue to pay their employee share of the premiums. Employees will be given a form to complete so that they may indicate their desire to remain in or opt-out of their respective City plan. An employee who leaves the City's health insurance program will be allowed to re-enter the program as of the first day of the month following their return to regular City employment.

### **Retirement**

Employees returning to municipal employment from active military duty will be treated as not having incurred a break in service with the city. This active military service will be considered service with the City for vesting and benefit accrual purposes. The City will be responsible for contributing the employee's retirement payments while the employee is on active military duty. The employee will be required to repay the City upon their return. Per the USERRA Section 4318 (b) (2), upon reemployment the employee has three (3) times the length of service (not to exceed 5 years) to make repayments and the employer is liable to fund any resulting obligation of the plan within the same timeframe.

### **Basic Life Insurance**

The City will continue its contribution to the basic life insurance plan that an employee may have. The employee remains responsible for their portion of the premium.



### **City Non-Contributory Benefits**

The City will not be responsible for assuming an employee's payments for any non-contributory plans/deductions that may be in effect while the employee is called up to active military duty. If an employee receives a supplemental check from the City, deductions will be taken from that check in the following order: State and Federal taxes, retirement (based only on the supplemental amount), health insurance, flexible spending, whole life insurance, supplemental term life, deferred compensation, and charitable contributions until either all deductions have been met or the supplemental amount has been exhausted, at which point the employee is responsible for any outstanding payments. If an employee does not receive a supplemental check from the City, the employee is responsible to make any payments to the appropriate party.

### **Return to City Employment**

All time spent in military duty will be included for purposes of calculating seniority, longevity, and for total time of service used in determining vacation weeks based on years of services. However, time spent in military service will not be applied to City time worked for purposes of earning the employee's annual vacation. Vacation already accrued when the employee is called up will not be lost, but will be available to the employee upon their return to work. The employee will not accrue sick leave or vacation time while in active military service.

### **Concurrent City Employment**

If an employee wishes to serve his/her military duty and, without conflict, continue in his/her usual City employment, the City will allow such an arrangement only if the employee completely satisfies his/her military commitment and the employee's appointing authority grants approval for the employee to continue City employment. In such a scenario, the employee's normal wages and paycheck deductions will remain unchanged.

### **III-15 Court/Jury Duty**

Employees called for jury duty shall be granted jury duty leave. Notice of service shall be filed with the department head upon receipt of a summons. This applies to both full-time and regular part-time employees.

If jury fees received by an employee from the court equal or exceed the employee's regular rate of compensation, the employee may retain the excess of such fees and shall turn over to the City the regular rate of compensation with a court certificate of service and shall be deemed to be on leave of absence with pay.

Employees who are summoned to appear as witnesses on behalf of the City shall be granted court leave. Notice of service shall be filed with the department head upon receipt of a summons. Employees who are on court leave for this purpose and who receive witness fees for services during their regular office hours shall pay those fees to the City.

If an employee is summoned to appear as a witness in a matter not related to the City, the employee shall not be granted paid court leave. They may, however, take vacation or personal time, if available, or time without pay.

Paid court leave shall not be granted when an employee is the defendant, is summonsed as a witness for a defendant except as above, or is engaged in personal litigation. They may, however, take vacation or personal time, if available, or time without pay.

If an employee is called for jury duty or witness service and such jury duty or witness service occurs during the employee's vacation, the employee need not pay those fees to the City.

### **III-16 Administrative Leave**

The term "Administrative Leave" describes the situation when an employee is temporarily relieved of his or her normal responsibilities, continues to receive regular pay and benefits, and is normally required to remain available to employer during regular work hours.

#### **Reason for Administrative Leave**

Administrative leave is used rarely and only when it is necessary to temporarily address a particular situation. An employee is only placed on administrative leave when the City determines that the employee cannot be allowed to remain in the workplace. The most common reasons for placing an employee on administrative leave are:

- As a prudent business practice to secure particularly sensitive information or resources when warranted by the circumstances.
- To facilitate the investigation of allegations of misconduct, which if true, could place persons or City resources in jeopardy.
- To remove an individual from the workplace who is behaving disruptively pending assessment of the situation.

#### **Required Approval**

If a situation occurs where it may be necessary to place an employee on administrative leave, the department head should contact the Labor Relations/Human Resources Director immediately. A determination of the best course of action will then be made.

### **III-17 Health Insurance Benefits**

Through the state run Group Insurance Commission (GIC), the City of Springfield currently offers subsidized health plan options to full time employees and part-time employees who are regularly assigned to positions 18.75 hours/week for a 37.5 hour position or 20 hours/week for a 40 hour position for a full time equivalent position, and are employed for more than six consecutive months (benefit eligible part-time employees). All group insurance benefits will be administered in accordance with the City's Contributory Benefits Rules and Regulations and the rules and regulations of the GIC.

Under the Group Insurance Commission (GIC) regulations, there is a waiting, or hiatus period, for coverage to begin for new employees. Coverage for these employees begins on the first day of the month following 60 calendar days from the first date of employment or eligibility, or two calendar months, whichever comes first.

New employees and newly eligible employees must make their selection within the **first 10 days** of eligibility. Open enrollment occurs annually in the spring, at which time employees may choose to join, add or remove dependents, or change vendors. Open enrollment options will take effect on July 1 following the spring open enrollment.

Employees may elect to join or change from family or individual plans if a qualifying event has occurred, such as marriage, divorce, birth, adoption, or loss of coverage. There is no waiting period for changes made due to a qualifying event and the timeframe to make the change from the qualifying event is 50 days. If the 50 days elapse and no change is made the next eligible time to make the change is during the open enrollment period.

The City currently pays 75% of the cost of all plans. The summary of benefits for each plan can be found on the GIC Website ([www.mass.gov/gic](http://www.mass.gov/gic).) In the event the description of health insurance benefits set forth in this policy manual is inconsistent with the terms of the insurance plan, the terms of the insurance plan shall prevail.

In accordance with Massachusetts Health Reform, employees who are eligible to enroll in a City subsidized plan, but choose not to enroll or to opt out, must fill out a refusal form.

Questions about the insurance benefits may be directed to the Benefits phone line 413.787.6055 or emailed to [benefits@springfieldcityhall.com](mailto:benefits@springfieldcityhall.com).

### **III-18 Consolidated Omnibus Budget Reconciliation Act (COBRA)**

COBRA health benefit provisions provide certain separated employees, spouses, former spouses, and dependent children the right to temporarily continue health insurance coverage at 102% of the total plan cost. This coverage is only available when coverage is lost due to certain specific events. Group health coverage for COBRA participants is more expensive than health coverage for active employees, since the City does not pay a percentage of the premium.

### **III-19 Flex Spending**

Via pre-tax payroll deduction, an employee can open up a medical or dependent care flexible spending account (FSA). The medical FSA is used to pay for medical expenses not paid for by insurance such as deductibles, copayments, coinsurance, dental and vision expenses, prescriptions, among other medical related items. A medical FSA cannot pay for health insurance premiums, cosmetic items, cosmetic surgery, or items that improve "general health". All items must be intended to treat or prevent a specific medical condition; this can be as significant as diabetes or pregnancy, or as minor as skin cuts. Generally, allowable items are the same as those allowable for the medical tax deduction, as outlined in IRS publication 502.

Dependent Care FSAs can also be established to pay for certain expenses to care for dependents that live with you. While this most commonly means child care, it can also be used for adult day care for senior citizen dependents that live with you, such as parents.

The City of Springfield caps the annual contribution toward Medical FSA at \$2,500. The Dependent Care FSA is federally capped at \$5,000 per calendar year (the maximum allowed under IRS regulations.)

### **III-20 Benefit Information**

Other available benefits are further outlined in the new hire and open enrollment packages. Employees can also call Insurance at 413.787.6055.

### **III-21 Retirement and OBRA**

Membership in the Springfield Retirement System is mandatory for nearly all public employees who are regularly employed and working twenty hours or more, with some exceptions. Employees who began employment on or after July 1, 1996 must contribute 9% of the regular compensation, plus an additional 2% on regular compensation in excess of \$30,000. Upon becoming an employee of the City of Springfield, “New Member Enrollment Forms” must be filled out and submitted to our office as soon as possible, as well as your beneficiary information. If you should have any questions, please contact the Springfield Retirement Office.

Normally, an employee working less than 20 hours a week, seasonal or temporary employee, will pay into a Defined Contribution Plan under the Omnibus Budget Reconciliation Act (OBRA) and the City does not contribute any matching funds. The amount is currently deducted at 7.5%. Upon leaving the employment of the City, an employee may request to have his/her OBRA payments refunded or rolled into another retirement account.

Full information on the Springfield Retirement system can be obtained from Springfield Retirement System at 413-787-6090.

### **III-22 Employee Assistance Program**

The City of Springfield is committed to supporting our employees through difficult times. Job performance and attendance may be negatively affected by issues outside of the workplace, including problems with children, aging parents, finances, alcohol or drug addiction, or other life issues. The City encourages you to seek assistance from EAP, the City’s Employee Assistance provider. This is a free and confidential service; EAP can be reached 24 hours per day, 7 days per week at (800) 252-4555. Employees with health insurance through the Commonwealth of Massachusetts Group Insurance Commissioner may access EAP through Mass4You at 844-263-1981.

## **SECTION IV – POLICIES**

### **IV-1 Information Technology Policy**

This document sets forth the City of Springfield (“City”) policies and guidelines regarding the acceptable use of City information technology resources, including the use of computers, electronic mail (“E-mail”) and the Internet connection. Included also are the City’s policies for maintaining the security of the City’s network servers and personal computers, and ensuring compliance with software licenses and applicable copyright laws. These

guidelines apply to the use of any of the City's information technology resources, including Computer, Internet and E-mail access, by any employee, contractor, student, intern, guest or other authorized users.

### **Definition**

As used in this document, the term "information technology resources" refers to all of the City's information technology systems and accessories. These include, but are not limited to, the local area networks, wide area network, the Internet connection, personal computers, printers, servers, access to research databases and services, other communications equipment or peripherals, software programs and data. As used in this document, the term "user" refers to employees, contractors, students, interns, volunteers, and guests or other authorized users of the City.

### **User Responsibilities**

Use of Information Technology Resources is conditional upon and subject to these policies. Any questions regarding appropriate use of information technology resources should be directed to the office of the Chief Information Officer of the Information Technology Division (ITD). In addition to the policy contained herein, usage must be in accordance with applicable City policies that govern all forms of communication and expression and applicable state and federal laws and collective bargaining agreements, including but not limited to, M.G.L. c. 266, §§ 33A and 120F; the Federal Computer Abuse Amendment Act, 1994; the Federal Electronic Communication Privacy Act; and the U.S. Copyright Act, all as amended.

### **Use and Care of Information Technology Resources**

The City has invested considerable funds in its networks, hardware, computers, including laptop computers, and software. Employees shall exercise caution and care in using, transporting, securing, and otherwise handling office-owned computers and software. Laptops are particularly subject to damage and theft and employees traveling with a laptop shall take reasonable precautions to prevent damage and theft of the laptop. Report any theft to your department head and the Director of ITD as soon as possible. Users must also exercise reasonable precautions in order to prevent the introduction of a computer virus into the network.

### **Software Piracy/Copyright Infringement**

The City is committed to providing each employee with the tools to do his or her work, including a computer and appropriate software. The City will only do so, however, in compliance with all of its vendors' licenses and applicable copyright laws. Computer programs are intellectual property and software publishers license their programs to protect their property rights from infringement. In addition, legal protections can also exist for any information published on the Internet. The City respects the rights of intellectual property owners. Under no circumstances may employees, contractors, students, interns, volunteers, guests or other authorized users unlawfully copy or distribute any software or copyrighted information. The use of software from unauthorized sources could also present security threats or interfere with the functionality of the network and such software will not be installed or used on City computers. No employee, contractor, student, intern, volunteer, guest or other authorized user shall download or install software from the Internet or any other source or save software attached to E-mail messages to

their workstation or the network server without the prior written approval of the Director of the City's ITD Department.

### **No Expectation of Privacy**

City information technology resources, including the Internet connection and E-mail, are the property of the City. As such, City retains the right to inspect any user's computer and the files contained within. The firewall between the Internet and the network automatically checks all data moving between the network and the Internet, identifying the sending and receiving destinations. Individual workstation activity is logged and users should assume that any files they create or receive, any messages they send or receive, and any web sites that they access are subject to monitoring. No employee, contractor, student, intern, volunteer, guest or other authorized user should have any expectation of privacy while using City information technology resources.

### **Assessments, Audits, and Removal of Unauthorized Software or Accessories**

The Chief Information Officer of the ITD or his/her designee may make assessments of software use, announced and unannounced audits of City computers, and take any other actions considered necessary to assure compliance with this policy. The Chief Information Officer of the ITD or his/her designee shall remove from any computer any unauthorized software found for which a valid license or proof of purchase is not available. No personally owned software, peripheral or other accessory shall be used in or attached to any City computer equipment without permission from the Chief Information Officer of the City's ITD.

### **Unacceptable Uses of Information Technology Resources**

It is unacceptable for any employee, contractor, student, intern, volunteer, guest or other authorized user to use any of the City's information technology resources:

- in furtherance of any illegal act, including violation of any federal or state laws or regulations;
- for any political purpose;
- for any commercial purpose;
- to infringe any intellectual property rights;
- to send threatening or harassing messages;
- to libel or otherwise defame any person;
- to access or share sexually explicit materials;
- to distribute chain letters;
- to intercept communications intended for other persons;
- to gain, or attempt to gain, unauthorized access to any computers or networks;
- for any use that causes interference with or disruption of network users and resources, including propagation of computer viruses or other harmful programs;
- to misrepresent either the City or a person's role in the City; or
- in any manner that is prohibited by this policy or any other policy of the City, or in any unprofessional manner.

Harassment of any kind is prohibited. No messages with derogatory or inflammatory remarks about an individual or group's race, age, religion, national origin, physical attributes, gender, or sexual preference will be transmitted. The list of activities is not intended to be exhaustive and all questions regarding licenses, copyright laws, or appropriate use should be addressed to the Chief Information Officer of the City's ITD.

#### **Acceptable use of E-mail and the Internet Connection**

The City encourages the widest possible use of the Internet to pursue the administration's goals and objectives. In addition, employees, contractors, interns or other authorized users may utilize the Internet in pursuit of job-related professional or educational development, research and analysis activities. While the City does not specifically prohibit use of the Internet or E-mail for personal, non-business uses, such use should be limited and should otherwise be consistent with this policy's section regarding Unacceptable Uses of Information Technology Resources. Personal, nonbusiness use of the Internet should not interfere with a user's prescribed duties and responsibilities. Personal, non-business use of either the Internet or E-mail is limited to areas where there is no additional, easily quantifiable cost to the City. Users are not authorized to make personal, and nonbusiness use of any Internet sites that result in additional charge to City. It is the user's responsibility to be aware whether additional cost is involved. If a charge is incurred, the user must reimburse the City for such.

#### **Office or System Wide E-mail Broadcasts**

No employee, contractor, student, intern, volunteer, guest or other authorized user may send a SYSTEM WIDE broadcast without first obtaining the approval of Chief Information Officer of the City's ITD. No employee, contractor, student, intern, volunteer, guest or other authorized user may send an OFFICE WIDE broadcast without first obtaining the approval of his/her department head.

#### **Charitable Solicitations**

Prior to issuing any such broadcast, a user interested in notifying colleagues of a charitable purpose via E-mail or any other City system must make a formal request to his/her department head or Chief Information Officer of the City's ITD. These requests will be considered individually and a determination made on a case by case basis.

#### **Protocol**

All Internet communications identify the user to all sites accessed. City E-mail addresses assigned to employees and other authorized users identify the sender as a member of the City. Internet access and E-mail, like all other forms of communication, reflect upon the City and users should maintain a professional and courteous tone, observing the rules governing conduct of employees. A user engaging in personal use of the City Internet for E-mail should make it clear that his or her communication is not being used for official City business.

#### **E-mail and Record Preservation**

E-mail created or received by an employee of a government unit may constitute a public record and therefore may be subject to public access through the Public Records Law. The Supervisor of Public Records has defined E-mail as

“messages created and received on an electronic mail system.” The E-mail messages may be text or word processing documents, spreadsheets or any other data compilations transmitted through the network. A determination as to whether an E-mail message is exempt from disclosure depends upon the content of the message. Additionally, E-mail messages may be discoverable in litigation and may be admissible. Like all electronically created and stored records, E-mail is subject to the rules of evidence and a judge will rule on its admissibility.

### **E-mail Retention**

E-mail records are subject to the same rules regarding record retention and disposition as are paper records. The value and treatment of each E-mail message must be determined individually and records retention schedules applied accordingly.

All documents requiring preservation should be printed and stored in the appropriate case or subject matter file and subsequently deleted from the computer system. Storing electronic files or messages on a computer hard drive or floppy disk is not considered an adequate means of long term record preservation. See Supervisor of Public Records Bulletin No. 1-99 for specific information and requirements.

### **Data Confidentiality**

In the course of providing services to the public and to other government agencies, City employees, contractors, students, interns, volunteers, guests or other authorized users often have access to confidential information such as personal data about identifiable individuals. Under no circumstances is it permissible for employees, contractors, students, interns, volunteers, guests or other authorized users to acquire access to confidential data unless such access is required by their job. Under no circumstances may employees, contractors, students, interns, volunteers, guests or other authorized users disseminate any confidential information unless such dissemination is required by their jobs, or if permission has been granted by the owners of the confidential information. Even E-mail secured with encryption technology can be shared with others in print or by being forwarded.

### **Network Security**

Users must take particular care to avoid compromising the security of the network. Most important, all passwords should be kept confidential. In addition, users who will be leaving their personal computers unattended for extended periods should log off or lock their workstation to the network. Finally, no user is allowed to access the Internet or other external networks via a modem unless they have received specific permission from the Chief Information Officer of the City's ITD.

### **General Security**

All messages created, sent or retrieved over the Internet are the property of the City, and should be considered public records. The City reserves the right to use any software to access and to monitor all messages and files on the computer system as deemed necessary and appropriate including but not limited to blocking site software. Internet messages are public communication and are not private. Employees have no reasonable expectation of privacy in E-mail communications or internet usage occurring on City computers or in the workplace. All communications



including text and images can be disclosed to law enforcement or other third parties without prior consent of the sender or the receiver. Upon the transfer to another department, lay off, suspension, leave of absence or termination (voluntary or involuntary) of an employee/user with any computer or internet access on the City's computer network the department head and Human Resources Director shall notify the Chief Information Officer of the City's ITD on the same day or on the next business day that the user is no longer an employee of the City. Department heads shall request, in writing, for individual employees to have access to a computer, the internet and E-mail through the City's system, certifying that said employee has business needs for such access.

After this policy is adopted, no employee shall receive authorized access to internet or E-mail system until he or she has received, reviewed, and agreed, in writing, to comply with this policy. Such documentation shall be retained in employee's personnel file and ITD file.

#### **Violation of Policy**

Violation of this policy may result in limiting or revoking use of the City's information technology resources and/or disciplinary action up to and including termination. If necessary, the City will advise appropriate legal officials of any illegal violations. The City reserves the right to change this policy at any time, with such notice, if any, as may be reasonable under the circumstances. You may contact Human Resources or the ITD for any questions you may have regarding this policy.

#### **IV-2 Sexual Harassment Policy**

It is the goal of the City of Springfield to promote a workplace that is free of sexual harassment. Sexual harassment of employees occurring in the workplace or in other settings related to their employment is unlawful and will not be tolerated by the City of Springfield. 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. To achieve the City's goal of providing a workplace free from sexual harassment, the conduct that is described in this policy will not be tolerated and the City has provided a procedure by which inappropriate conduct will be dealt with, if encountered by employees. Because the City of Springfield takes allegations of sexual harassment seriously, it will respond promptly to complaints of sexual harassment and where it is determined that such inappropriate conduct has occurred, it will act promptly to eliminate the conduct and impose such corrective action as is necessary, including disciplinary action where appropriate. Please note that while this policy sets forth the City's goals of promoting a workplace that is free of sexual harassment, the policy is not designed or intended to limit our authority to discipline or take remedial action for workplace conduct which the City deems unacceptable, regardless of whether that conduct satisfies the definition of sexual harassment.

#### **Definition of Sexual Harassment**

In Massachusetts, "sexual harassment" means sexual advances, requests for sexual favors, and verbal or physical conduct of a sexual nature when: (a) submission to or rejection of such advances, requests or conduct is made either explicitly or implicitly a term or condition of employment or as a basis for employment decisions; or, (b) such

advances, requests or conduct have the purpose or effect of unreasonably interfering with an individual's work performance by creating an intimidating, hostile, humiliating or sexually offensive work environment. Under these definitions, direct or implied requests by a supervisor for sexual favors in exchange for actual or promised job benefits such as favorable reviews, salary increases, promotions, increased benefits, or continued employment constitutes sexual harassment. The legal definition of sexual harassment is broad and, in addition to the above examples, it includes other sexually oriented conduct, whether it is intended or not, that is unwelcome and has the effect of creating a work place environment that is hostile, offensive, intimidating, or humiliating to male or female workers may also constitute sexual harassment. The following are some examples of conduct, which if unwelcome, may constitute sexual harassment depending upon the totality of circumstances including the severity of the conduct and its pervasiveness:

- Unwelcome sexual advances – whether they involve physical touching or not;
- Sexual epithets, jokes, written or oral references to sexual conduct, gossip regarding one's sex life;
- Comment on an individual's body, comment about an individual's sexual activity, deficiencies, or prowess;
- Displaying sexually suggestive objects, pictures, cartoons;
- Unwelcome leering, whistling, brushing against the body, sexual gestures, suggestive or insulting comments;
- Inquiries into one's sexual experiences; and,
- Discussion of one's sexual activities.

The complainant does not have to be the person at whom the unwelcome sexual conduct is directed. The complainant, regardless of gender, may be a witness to and personally offended by such conduct. The harasser may be anyone including a supervisor, a co-worker, or a non-employee, such as a recipient of public services or vendor. All employees should take special note that, as stated above, retaliation against an employee who has complained about sexual harassment and retaliation against individuals for cooperating with an investigation of sexual harassment complaint is unlawful and will not be tolerated by the City of Springfield.

### **Complaints of Sexual Harassment**

If any City of Springfield employee believes that they have been subjected to sexual harassment, the employee has the right to file a complaint. This may be done in writing or orally. Employees should immediately report harassment to their supervisor or the Chief Diversity and Inclusion Officer. Employees may file a complaint with the Chief Diversity and Inclusion Officer, at (413) 886-5119. The CDIO office is located in Room 405, City Hall, 36 Court Street. All allegations of harassment will be investigated. The investigation will be conducted in such a way as to maintain confidentiality to the extent practicable under the circumstances. Any retaliation against an individual who has complained about sexual harassment or retaliation against individuals for cooperating with an investigation of sexual harassment complaint is similarly unlawful and will not be tolerated.

### **State and Federal Remedies**

In addition to the above, if an employee believes they have been subjected to sexual harassment, they may file a formal complaint with either or both of the government agencies set forth below. Using the City's complaint process does not prohibit an employee from filing a complaint with these agencies. Each of the agencies has a short time period for filing a claim (EEOC – 300 days; MCAD – 300 days).

1. The United States Equal Employment Opportunity Commission (“EEOC”) 475 Government Center, Boston, MA 02203, (617) 565-3200 or (800) 669-4000.
2. The Massachusetts Commission Against Discrimination (“MCAD”) Boston Office: One Ashburton Place, Room 601, Boston, MA 02108, (617) 994-6000. Springfield Office: 436 Dwight Street, Room 220, Springfield, MA 01103, (413) 739-2145.

### **Sexual Harassment Investigation**

When a City department receives a complaint it will promptly investigate the allegation in a fair and expeditious manner. The investigation will be conducted by the Chief Diversity and Inclusion Officer in such a way as to maintain confidentiality to the extent practicable under the circumstances. The investigation will include a private interview with the person filing the complaint and with witnesses. The Chief Diversity and Inclusion Officer will also interview the person alleged to have committed sexual harassment. When the investigation is completed, the City will, to the extent appropriate, inform the person filing the complaint and the person alleged to have committed the conduct of the results of that investigation. If it is determined that inappropriate conduct has occurred, the City will act promptly to eliminate the offending conduct, and where it is appropriate will impose disciplinary action.

### **Disciplinary Action**

If it is determined that an employee has engaged in inappropriate conduct, the City will take such action as is appropriate under the circumstances. Such action may range from counseling to termination from the employment, and may include such other forms of disciplinary action deemed appropriate under the circumstances.

## **IV-3 Non-Harassment Policy**

The City is committed to an environment that permits employees to develop and pursue opportunities free from harassment on the basis of national origin, race, color, sex/ gender, age, religion, sexual orientation or disability. An employee who feels that they are the subject of harassment or that they have witnessed any harassment should immediately contact their supervisor or the Chief Diversity and Inclusion Officer (413-886-5119), City Hall Room 405, 36 Court Street. If someone in the employee's direct chain of command is the alleged harasser, the employee may proceed outside the chain of command and take their complaint directly to the Chief Diversity and Inclusion Officer, at the telephone and address stated above. All complaints of harassment will be promptly investigated. The City will preserve the confidentiality of harassment complainants and witnesses as much as possible consistent with a thorough investigation. There will be no retaliation against any employee who reports harassing conduct. Prompt, corrective action, up to and including termination of employment will be taken when an investigation of a harassment complaint confirms the allegations. Consistent with the City's overall objectives, it is

the policy of the City of Springfield to maintain a work environment free from all forms of harassment and to insist that all employees are treated with dignity, respect, and courtesy. This policy extends to comments or conduct of a sexual nature, where such behavior tends to threaten or offend a fellow employee.

#### **IV-4 Disciplinary and Corrective Action Policy**

The City of Springfield is committed to administering equitable and consistent discipline for unsatisfactory conduct in the workplace. The best discipline or corrective measure is the one that does not have to be enforced and comes from good leadership and fair supervision at all employment levels. The City's own best interest lies in ensuring fair treatment of all employees and in making certain that disciplinary actions are prompt, uniform and impartial. The primary purpose of any disciplinary action is to correct the problem, prevent recurrence and prepare the employee for satisfactory service in the future.

Although employment is based on mutual consent and both the employee and the City have the right to terminate employment at will, with or without reason or notice, the City may use discipline, including progressive discipline, at its discretion. This policy does not alter the "at-will" nature of employment.

When disciplinary action becomes necessary, the City may utilize a progressive approach which may include counseling, verbal warning, written warning, suspension with or without pay, or termination of employment, depending on the severity of the problem and the number of occurrences. All forms of disciplinary action beyond counseling will be documented in the employee's personnel file. Any disciplinary action involving suspension or termination must be approved by the Director of Human Resources. Circumstances may warrant the skipping of one or more steps, or immediate termination.

While it is impossible to list every type of behavior that may be deemed a prohibited offense, upon request the Human Resources Department can provide examples of problems that may result in disciplinary action including termination of employment. Other offenses or unsatisfactory conduct may lead to disciplinary action, including termination, as well.

#### **IV-5 Conflict of Interest**

The City of Springfield adheres to the conflict of interest provisions stated in Chapter 268A of the Massachusetts General Laws.

Specifically, employees must avoid conflicts of interest between their obligation to the City and their personal affairs. An actual or potential conflict of interest occurs when an employee is in a position to influence a decision that may result in a personal gain for that employee or for a relative as a result of the City's business dealings. Personal gain may result not only in cases where an employee or relative has a significant ownership in a firm with which the City does business, but also when an employee or relative receives any kickback, bribe, gift, or special consideration as a result of any transaction or business dealings involving the City. No employee should have an economic interest in, hold a position in, or maintain a relationship with any firm, person or corporation with which

the City does business or competes that could jeopardize the City's interest. In general, the use of good judgment, based on the highest ethical principles, will guide employees with respect to lines of acceptable conduct. If a situation arises where a conflict may develop or where it is difficult to determine the proper course of action, the matter should be discussed openly with the employee's supervisor and Human Resources Director as soon as possible so that safeguards can be established to protect all parties. In addition, an employee with questions, concerns, or issues related to conflicts of interest may contact the State Ethics Commission.

Compliance with this policy of business ethics and conduct is the responsibility of every employee. Disregarding or failing to comply with appropriate business ethics and conduct could lead to disciplinary action, up to and including termination of employment.

Nothing in this Policy shall be construed to conflict with Chapter 268A of the Massachusetts General Laws for conflicts of interest.

The successful operation of City business and the reputation of the City are built upon the principles of fair dealing and ethical conduct among employees. Our reputation for integrity and excellence requires careful observance of the spirit and letter of all applicable laws and regulations, as well as a scrupulous regard for the highest standards of conduct and personal integrity.

Our continued success in serving the City of Springfield and its citizens is dependent upon our maintaining the trust of our citizens, vendors and service providers, and we are dedicated to preserving that trust. Employees owe a duty to the City to act in a way that will merit continued trust and confidence. The City regards ethical conduct with those organizations providing goods and services to the City, and those organizations to which we provide goods and services, as paramount to the establishment of an effective working relationship.

The City will comply with all applicable laws and regulations and expects its officials and employees to conduct business in accordance with the letter, spirit, and intent of all relevant laws and to refrain from any illegal, dishonest, or unethical conduct. The integrity of all employees is an indispensable source of goodwill and must remain unquestioned.

#### **IV-6 Domestic Violence Policy**

This policy sets forth the conditions under which an eligible employee may take time off, in accordance with the Massachusetts Domestic Violence Leave Act, M.G.L. Ch. 260 of the Acts of 2014.

##### **Eligibility**

An employee may be entitled to Domestic Violence Leave if:

- A. The Employee, or a family member of the employee, is a victim of abusive behavior;
- B. The Employee is using the leave from work to address issues directly related to the abusive behavior against the employee or family member of the employee; and

- C. The Employee is not the perpetrator of the abusive behavior against such employee's family member.

### **Definitions**

- A. Employee: An individual who performs services for and under the control and direction of the City of Springfield for wages or other remuneration, including full-time, part-time, seasonal, and temporary employees. Employees of the Springfield School Department shall be covered under the Domestic Violence Leave Policy adopted by the Springfield School Committee.
- B. Abuse:
  - a. Attempting to cause or causing physical harm;
  - b. Placing another in fear of imminent serious physical harm;
  - c. Causing another to engage involuntarily in sexual relations by force, threat or duress or engaging or threatening to engage in sexual activity with a dependent child;
  - d. Engaging in mental abuse, which includes threats, intimidation or acts designed to induce terror;
  - e. Depriving another of medical care, housing, food or other necessities of life; or
  - f. Restraining the liberty of another.
- C. Abusive Behavior:
  - a. Any behavior constituting domestic violence;
  - b. Stalking in violation of section 43 of chapter 265,
  - c. Sexual assault, which shall include a violation of sections 13B, 13B ½ , 13B ¾ , 13F, 13H, 22, 22A, 22B, 22C, 23, 23A, 23B, 24, 24B, 26D, 50 or 51 of chapter 265 or sections 3 or 35A of chapter 272; and
  - d. Kidnapping in violation of the third paragraph of section 26 of chapter 265.
- D. Domestic Violence: Abuse against an employee or the employee's family member by:
  - a. A current or former spouse of the employee or the employee's family member;
  - b. A person with whom the employee or the employee's family member shares a child in common;
  - c. A person who is cohabitating with or has cohabitated with the employee or the employee's family member;
  - d. A person who is related by blood or marriage to the employee; or
  - e. A person with whom the employee or employee's family member has or had a dating or engagement relationship.
- E. Family Member:
  - a. Persons who are married to one another;
  - b. Persons in a substantive dating relationship and who reside together;
  - c. Persons having a child in common regardless of whether they have ever married or resided together;
  - d. A parent, step-parent, child, step-child, sibling, grandparent or grandchild; or
  - e. Persons in a guardianship relationship.

**Qualified Reasons for Leave**

- A. To seek or obtain medical attention, counseling, victim services or legal assistance;
- B. Secure housing;
- C. Obtain a protective order from a court;
- D. Appear in court or before a grand jury;
- E. Meet with a district attorney or other law enforcement official; or
- F. Attend child custody proceedings or address other issues directly related to the abusive behavior against the employee or family member of the employee.

**Requesting Leave**

Employees must request leave in advance. Requests must be made on the form provided by the Human Resources Department and must be submitted to the Assistant Director of Human Resources, along with documentation evidencing that the employee or employee’s family member has been a victim of abusive behavior and that the leave is being taken for a qualified reason. (A list of acceptable forms of documentation is attached hereto).

If there is a threat of imminent danger to the health and safety of an employee or the employee’s family member, the employee shall not be required to provide advanced notice of leave; provided, however, that the employee shall notify the employer within three (3) workdays that the leave was taken or is being taken under this policy.

**Leave Entitlement**

Eligible employees may be entitled to up to fifteen (15) days of paid leave in any calendar year. An employee seeking leave under this policy shall not be required to exhaust annual or vacation leave, personal leave and sick leave (if eligible) available to the employee, prior to requesting or taking leave under this section.

City Departments are authorized and encouraged (but not required) to grant up to six (6) months of unpaid leave to an employee who is a victim or whose children are victims of domestic violence where the employee is not the perpetrator of the abusive behavior. City Departments shall offer the same or similar position to such an employee upon the employee’s return from leave.

**Confidentiality**

Any documentation provided to an employer under this policy may be maintained by the employer in the employee’s employment record, but only for as long as required for the employer to make a determination as to whether the employee is eligible for leave under this section.

All information related to the employee’s leave under this section shall be kept confidential by the employer and shall not be disclosed, except to the extent that disclosure is:

- A. Requested or consented to, in writing, by the employee;
- B. Ordered to be released by a court of competent jurisdiction;
- C. Otherwise required by applicable federal or state law;
- D. Required in the course of an investigation authorized by law enforcement, including, but not limited to, an investigation by the attorney general; or

- E. Necessary to protect the safety of the employee or others employed at the workplace.

#### **IV-7 Drug Free Workplace Policy**

The Drug-Free Workplace Act of 1988 requires federal government contractors to take specific and affirmative steps to ensure a drug-free workplace. One of the Act's central provisions requires employers to prepare and distribute an anti-drug policy statement prohibiting any drug related activity in the workplace. The City of Springfield's policy regarding the work related effects of drug use and the unlawful possession of controlled substances on City property is as follows:

- Employees are expected and required to report to work on time and in appropriate mental and physical condition for work. It is the City's intent and obligation to provide a drug-free, healthful, safe and secure work environment.
- The unlawful manufacture, distribution, dispensation, possession, or use of a controlled substance on City premises or while conducting City business off City premises is absolutely prohibited. Violation of this policy will result in disciplinary action, up to and including termination and may necessarily involve legal action.
- As mandated by the Drug-Free Workplace Act of 1988, employees must, as a condition of employment, abide by the terms of the above policy and report any conviction under criminal drug statutes for violations occurring on or off City premises while conducting City business. A report of a conviction must be made within five (5) days after the conviction.
- The City recognizes drug dependency as an illness and a major health problem. The City also recognizes drug abuse as a potential health, safety, and security problem. Employees needing help in dealing with such problems are encouraged to use the City's Employee Assistance Program and health insurance plans, as appropriate. Conscientious efforts to seek such help will not jeopardize an employee's job.

#### **IV-8 Smoking in the Workplace Policy**

In accordance with the provisions of Massachusetts General Laws, Chapter 270, Section 22 there shall be no smoking permitted in any public building in the City of Springfield.

This policy is not only promulgated to comply with the law, but also for the purpose of promoting a safe and healthy environment in work areas of the City. It is intended to reduce the health risks associated with exposure to tobacco smoke.

All employees are encouraged to exercise understanding of the views of others and to cooperate in the effective application of this policy. Problems or disputes arising out of the implementation of this policy shall be referred to the Human Resource Department for resolution.



#### **IV-9 Workplace Violence Policy**

The City of Springfield maintains a Zero Tolerance Policy toward acts of workplace violence by any of its employees.

Employee is defined as any person employed full time or part time by the City of Springfield.

Employees are directed to go to their immediate supervisor, or call the public safety officials, if appropriate, to report an act of workplace violence.

The City will promptly respond to reports of workplace violence and upon notice of an incident take immediate action to protect the safety of employees. Incidents of workplace violence will be reported to appropriate public safety personnel when incidents involve potential criminal conduct.

After investigation, where a determination has been made that an employee has committed an act of workplace violence, the employee will be disciplined by the City up to and including termination.

#### **IV-10 Motor Vehicle Use Policy**

The City has an extensive policy and procedures governing the use of City motor vehicles. Any employee that uses a City vehicle regularly or for a single instance is subject to abide by and sign off on the Motor Vehicle Use Policy. This policy can be found on the Human Resources page under Forms and Policies.

#### **IV-11 Inclement Weather Policy**

The purpose of this policy is to set forth the guidelines to be followed in the event that snow, other weather-related events, or emergency situations cause the closing or limited staffing of municipal departments.

##### **Applicability**

This policy applies to general government management, administrative, professional, and support personnel, regardless of work location. It does not apply to school department, essential public safety personnel, library, or non-administrative Department of Public Works personnel.

##### **Policy**

- It is the policy of the City of Springfield to compensate employees who cannot report for work when the municipal building they work in is closed due to snow or other weather related event.
- If a snow or other weather-related event occurs before or during morning commute hours, employees should take a reasonable amount of time necessary to arrive at work safely. Employees who prefer to use accumulated vacation, personal or incentive leave time, in lieu of reporting to work, should be allowed to do so.

- Unless the municipal building is closed by the City of Springfield, employees who do not report to work at all must use their own accumulated vacation, personal or incentive leave for all hours they were scheduled to work for the day.
- In the event that a decision is made by the City of Springfield not to open the building, or to schedule a late opening, employees shall check the local news station prior to the start of their workday for delays and closings.
- Employees will be compensated for the period that the municipal building in which they work is closed. However, employees who were previously scheduled to be on vacation, sick, or other leave for that period will be charged the appropriate leave.
- The Mayor of the City of Springfield may make reasonable changes in this policy based on weather and/or emergency conditions or the needs of the City.

#### **IV-12 CORI Policy**

The purpose of this policy is to establish the procedural requirements for obtaining criminal offender record information for employees, volunteers and contractors whose work for the City brings them in contact with youth, the elderly and disabled people.

##### **Applicability**

All general government departments are subject to the provisions of this policy.

##### **Policy**

The City endeavors to ensure the safety of the public which it serves, while protecting the civil rights of its employees, volunteers and contractors. Where Criminal Offender Record Information (CORI) checks are part of a general background check for employment, volunteer work or contracting purposes, City departments will proceed in accordance with the rules set forth by the Criminal History Systems Board (CHSB).

##### **Procedures**

- CORI checks will be conducted by the Human Resources Department or designated departments, and 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.
- Because an informed review of a criminal record requires adequate training, all personnel authorized to review CORI in the decision-making process will be thoroughly familiar with the educational materials made available by CHSB.
- Any and all decisions not to hire an employee or engage the services of a volunteer or contractor based on an adverse CORI report will be made in concurrence with the City Human Resources & Labor Relations Director.

- 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.
- 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.
- If the City 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.
- 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 will make a determination based on a comparison of the CORI record and documents provided by the applicant. The City may contact CHSB and request a detailed search consistent with CHSB policy.
- As prohibited above, if the City reasonably believes the record belongs to the applicant and is accurate, then a 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.

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

#### **IV-13 Residency**

Residents and non-residents of the City of Springfield may apply and shall be considered for appointment. Appointees must establish residency within twelve (12) months of the start of employment, be a resident of the City of Springfield, and shall not cease to be a resident during their employment by the City in accordance with Chapter 73-8 Residency Requirements – Condition of Employment., unless they have been issued a residency waiver.

#### **IV-14 Personnel File Maintenance and Access**

All official personnel files, including Civil Service files, will be centrally located in City Hall. Due to their confidentiality, official employee files should be kept in secured (locked) cabinets or in an area that is accessible only to authorized personnel.

Official employee file keepers are responsible for strictly ensuring that no inappropriate items be placed in the files. From time to time, files may be audited or requested by the Law Department to respond to subpoenas.

##### **File Access**

Mass. Gen. Laws Ch. 149, sect. 52c requires an employer to give an employee the “opportunity to review” their official personnel record within 5 business days of a request. It also requires employers to provide an employee with “a copy of their personnel record” within five (5) business days of the employee submitting a written request for such records. A member of management, or an authorized Human Resource representative, should be present at all times when an employee is reviewing their file. Files removed by authorized personnel shall be signed out.

#### **IV-15-Social Media Policy**

**Purpose:** At the City of Springfield (“Department”), we understand that social media can be a fun and rewarding way to share your life and opinions with family, friends, co-workers, or others around the world. However, use of social media also presents certain risks and carries with it certain responsibilities. To assist you in making responsible decisions about your use of social media, we have established this policy.

We are committed to ensuring our employees’ use of social media does not violate Federal or state privacy, copyright, defamation or discrimination laws. For example, City Departments are required under the Health Insurance Portability and Accountability Act of 1996 (“HIPAA”) to ensure that any protected health information (“PHI”) that we create, receive, use, or store is not improperly used or disclosed through any means, including the Internet. We are also committed to, and have a legitimate interest in, protecting our provision of services, our working relationships with other organizations, our confidential and proprietary information, and reflecting favorably on our professional status as public employees and administrators.

This policy is not intended to restrict your legal rights, such as your right to engage in responsible social media discussions about things such as wages, benefits, hours, or working conditions. Rather, this policy is designed to help avoid claims against the Department or its personnel for things like: HIPAA violations, invasion of privacy and breach of contract, defamation, unlawful discrimination, and unlawful harassment. Put simply, it helps protect you and our Department and helps ensure our members conduct themselves in a manner consistent with the City’s mission of service and core values of respect and dignity toward the public, personnel we work with and to each other.

This policy will not be applied or construed in any way that might limit or improperly interfere with any applicable legal rights of Department employees, including, but not limited to, any rights under Federal or state labor laws,

federal or state constitutions, nor to restrict, change or modify the rights of union members under existing collective bargaining agreements.

**Scope:**

This policy applies to all Department staff including but not limited to; employees, volunteers, interns, and other Department personnel. The policy applies to activity on the Internet including, but not limited to, social media sites such as Facebook, Twitter, Flickr, YouTube, Instagram, etc., as well as other websites (such as web blogs) – basically any Internet site where you can post information and/or images and communicate electronically.

**Definitions:**

***“Confidential or Proprietary Information”*** includes, but is not limited to, any information that is not publicly known: internal reports, internal Department confidential communications, patient lists, confidential information about the health of other staff members, disciplinary actions or contract negotiations.

***“Protected Health Information”*** is any individually identifiable information that is received, created, maintained or transmitted by the Department in any form or media (electronic, paper, or oral) and relates in any way to an individual’s healthcare. Individually identifiable information is information that either identifies the individual or for which there is a reasonable basis to believe it can be used to identify the individual.

***“Social Media”*** are Internet-based sites or tools that facilitate information sharing among individuals, including, but not limited to, sites such as Facebook, Twitter, Flickr, Instagram, YouTube, and other social media such as web blogs.

***“Social Networking”*** is any means of communicating or posting information or content of any sort on the Internet, including to your own or someone else’s web log or blog, journal or diary, personal web site, social networking or affinity web site, web bulletin board or a chat room, whether or not associated or affiliated with the Department.

**Procedure:**

In general, staff members should think carefully before posting online, because most online social platforms are open for all to see. Despite privacy policies, staff members cannot always be sure who will view, share, or archive the information that is posted. Before posting anything, you should remember that you are responsible for what you posted online. It is always best to carefully consider the risks and rewards with respect to each posting, and to use your best judgment and exercise personal responsibility when posting to any social media sites. If you have any doubt about what you are about to post online, it is better not to post it, since once something is placed in cyberspace, it is difficult to retract the message or image.

Each Department will apply this policy in a fair and non-discriminatory manner, consistent with all applicable laws. Keep in mind that any conduct that adversely affects your job performance, the job performance of other staff members, the public, or entities we work with (including others who work on behalf of any Department), or

otherwise adversely affects the legitimate business interests of a municipal Department, may result in corrective counseling or disciplinary action up to and including termination, subject to protections under existing collective bargaining agreements.

**A. What You May NOT Post On the Internet and Social Media**

Posting the following types of information on the Internet is specifically prohibited under this policy and may lead to corrective counseling and discipline up to and including termination:

- 1. Protected Health Information.** You may not post or otherwise disseminate protected health information (PHI) on the Internet or social media site in any form (text, photo, audio, or video). Information that you learn and/or collect about patients while performing duties for any municipal Department is generally going to fall under the category of PHI whenever it identifies or reasonably could be used to identify a patient.

Things that identify a patient include, but are not limited to, a patient's:

- First, last or full name
- Street address, city, county, or zip code
- Date of birth
- Phone number
- Social security number
- Medical record number
- Health plan number
- Account number
- Driver's license number
- Specific Incident
- Comments regarding outcome or prognosis
- Vehicle identification number or license plate number
- Image or video where the image or video shows the patient's face or other identifying feature

In addition, any information that might reasonably identify someone who is a patient could also be PHI. For example, images or videos of a patient's body or body parts, information about specific response locations and destinations, or information about the nature of an illness, injury, or incident could be enough to identify a patient and could constitute PHI. Please refer to the definition of PHI in this policy and ask your Department's HIPAA Compliance Officer if you have any questions about what is PHI. A good question to ask in order to determine whether the information is PHI is this: *Would someone who knows the patient be able to identify the patient from the information?* If so, as a general rule you should not post it.

- 2. Confidential or Proprietary Information about a municipal Department.** You may not post confidential or proprietary information about the Department or any organization or person that the Department interacts with in conducting business. This means you should not be sharing things like

undisclosed details that are not publicly known or obtainable, about our contractual arrangements or other confidential business information with other parties. Please refer to the definition of confidential or proprietary information in this policy, and you may consult with a supervisor if you have any questions about what information might fall under this definition.

3. **Explicit or Obscene Sexual Images or Content.** You may not post lewd or obscene photographs, images, or any content (text, images or videos) of a sexually explicit nature while in any municipal Department uniform or with any City or Departmental equipment or logos in view.
4. **Unauthorized Postings Portrayed as Being From the Department.** You may not represent that you are speaking or posting on behalf of any municipal Department without the permission of the Department Head. You should never represent yourself as a spokesperson for the Department **unless you are designated** as a spokesperson for the Department.
5. **Content That Unlawfully Harasses, Threatens, or Discriminates Against Others.** You may not post content that violates our policies against unlawful harassment and discrimination. Carefully read these policies and ensure your postings are consistent with them. Postings that include discriminatory remarks, harassment, and threats of violence or similar unlawful conduct will not be tolerated. Examples include inappropriate sexual comments about other staff members or discriminatory comments based on age, race, sex, sexual orientation, national origin, ethnicity, disability, religion, veteran's status or other legally protected class, status, or characteristic.
6. **Sensitive Personal Information about Others.** To reduce the risk of identity theft, Medicare and Medicaid fraud, illegal stalking, and other similar illegal conduct, you should not disclose personally identifiable information (such as contact information obtained from Department files or records), Social Security numbers, credit or debit card or financial account numbers, medical insurance or account numbers or other similar information about staff members, patients, or vendors on the Internet.
7. **Use of City of Springfield or any Department Logo and Uniforms in Images or Video.** You should not use the City of Springfield Seal or any Department logo, trademark, uniform patch or proprietary graphics in any way. For example, you should not create a social media page using the City of Springfield or any of its Department's logo as this might suggest to readers that the City is sponsoring the page. You should not post images or videos of yourself or your co-workers that identify you as City staff members or that show you in a municipal Department uniform when that image or video depicts you or your co-workers engaging in what appears to be illegal or immoral conduct (such as acts of violence or the use of illegal drugs), or violations of Department policy, even if it is being done as a joke.
8. Any social media activity should not violate any of the City's Personnel or Department's published Rules and Regulations or Standard Operating Guidelines.

9. Any conduct which under a Department rule is impermissible if expressed in any other form is impermissible if expressed through social media.

**B. General Rules About Social Networking Related to the Workplace**

1. **No Expectation of Privacy on Agency Devices.** You should be aware that any Internet activity performed on City-owned, operated, or controlled equipment or via City Internet (hard-wired or wireless) may be monitored at any time and without notice to ensure compliance with the law, this policy and other City computer use policies. This includes City workstations, laptops, mobile data terminals, smart phones, and other electronic devices.
2. **No Access to Illegal or Pornographic Sites.** You may not access any unlawful sites or any lewd or sexually explicit sites (such as pornography sites) through City equipment or through the City's Internet connection (hard-wired or wireless) at any time. In addition, you may not access such sites with personal equipment while on City premises or at any time through City hard-wired or wireless networks.
3. **No Social Networking during Working Time.** You should not engage in social networking activities while engaged in patient care activities, while performing work duties (including when operating City vehicles or while in a City vehicle even when not driving) or when work assignments are not completed. However, you are permitted to access the Internet on your own personal equipment when you are not on working time (rest periods and meal breaks).
4. **No Taking Videos or Images during Responses or In Areas Where PHI May be Exposed.** To avoid the potential risk of improper disclosure of PHI, as well as to avoid unsafe distractions, you should refrain from taking any images or videos of any kind while on an incident response, while treating patients or otherwise engaged in work activities unless expressly authorized to do so by your Department Head. Remember, your main focus should be public service and the incident itself.
5. **Posting on Springfield Sites.** The City or any of its Departments may use various Internet and social networking tools to communicate with and engage the public and our staff members. The following procedures apply:
  - Only designated personnel may post on any City of Springfield or City Department social media site at the behest of the Department head or appropriate officer. The content of said posting must be reviewed by the appropriate officer prior to posting.
  - On any official sites, pages, or blogs, the City will at its discretion delete spam and comments that are off-topic or inappropriate, and will reply to emails and comments when deemed appropriate.

**C. Guidelines for Posting On the Internet and Social Media**

1. **Make it Clear you are Speaking on Your own Behalf.** If it is not obvious from the content, if you post any comments about the City or its Department on the Internet you should consider:



- Disclosing your connection with the City or any of its Departments.
- Using a personal email address (not your City or Department address) as your primary means of identification and contact.

Whenever possible, you should make it clear you are speaking for yourself and not on behalf of the City or any of its Department when posting any content related to the City or any of its Departments.

Where it is not clear or obvious from the content that the post is your own opinion or view and not that of the City or any of its Departments, you should consider using the following disclaimer:

"The views expressed on this [post; blog; website] are my own and have not been reviewed or approved by my employer."

2. **Retaliation is Prohibited.** The City of Springfield prohibits taking adverse action against any staff member who makes a good faith report of a possible violation of this policy or for cooperating in an investigation. Any staff member who retaliates against another staff member for reporting a possible deviation from this policy or for cooperating in an investigation may be subject to disciplinary action, up to and including termination from employment.
3. **Any Questions, Contact a Supervisor.** If you have any questions about the details or scope of this policy, please contact your supervisor. If you are unsure if a comment or image you are about to post is acceptable or not acceptable under this or any other Department policy, you are always welcome to discuss it with your supervisor or the Head of the Department.

## IV-16 Dress Code

The City, at its discretion, may designate certain positions which must wear uniforms. Employees who are not required to wear uniforms shall wear neat, clean business attire. Employees are expected to dress in a manner that is normally acceptable in similar work environments.

Employees should not wear suggestive attire, jeans, athletic clothing, shorts, flip flops, T-Shirts, novelty buttons, baseball hats, and similar items of casual attire that do not present a business like appearance. Employees who do not work in an office must not wear sandals or open toed shoes.

Hair should be clean, combed and neatly trimmed or arranged. Shaggy, unkept hair is not permissible regardless of length.

Sideburns, moustaches, and bears should be neatly trimmed

Tattoos above the neckline are prohibited. Tattoos that are below the neckline which are offensive or inappropriate as solely determined by the Department Head must be covered and not visible while working. Body piercings (other than earrings) should not be visible.

Department Heads are authorized to designate positions which are exempt from the provisions of this policy due to the nature of the work (e.g. employees who work in the field may wear jeans and work boots or employees in summer programs may wear athletic clothing and baseball hats).

Department Heads are authorized to waive provisions of this policy on certain days (e.g. fund raisers or other special occasions to give employees a “dress down” day).

#### **IV-17 Pregnant Workers Fairness Act**

The Pregnant Workers Fairness Act (“the Act”) amends the current statute prohibiting discrimination in employment, G.L. c. 151B, §4, enforced by the Massachusetts Commission Against Discrimination (MCAD). The Act, effective on April 1, 2018, expressly prohibits employment discrimination on the basis of pregnancy and pregnancy-related conditions, such as lactation or the need to express breast milk for a nursing child. It also describes employers’ obligations to employees that are pregnant or lactating and the protections these employees are entitled to receive. Generally, employers may not treat employees or job applicants less favorably than other employees based on pregnancy or pregnancy-related conditions and have an obligation to accommodate pregnant workers.

##### **Under the Act:**

- Upon request for an accommodation, the employer has an obligation to communicate with the employee in order to determine a reasonable accommodation for the pregnancy or pregnancy-related condition. This is called an “interactive process,” and it must be done in good faith. A reasonable accommodation is a modification or adjustment that allows the employee or job applicant to perform the essential functions of the job while pregnant or experiencing a pregnancy-related condition, without undue hardship to the employer.
- An employer must accommodate conditions related to pregnancy, including post-pregnancy conditions such as the need to express breast milk for a nursing child, unless doing so would pose an undue hardship on the employer. “Undue hardship” means that providing the accommodation would cause the employer significant difficulty or expense.
- An employer cannot require a pregnant employee to accept a particular accommodation, or to begin disability or parental leave if another reasonable accommodation would enable the employee to perform the essential functions of the job without undue hardship to the employer.
- An employer cannot refuse to hire a pregnant job applicant or applicant with a pregnancy-related condition, because of the pregnancy or the pregnancy-related condition, if an applicant is capable of performing the essential functions of the position with a reasonable accommodation.

- An employer cannot deny an employment opportunity or take adverse action against an employee because of the employee's request for or use of a reasonable accommodation for a pregnancy or pregnancy-related condition.
- An employer cannot require medical documentation about the need for an accommodation if the accommodation requested is for: (i) more frequent restroom, food or water breaks; (ii) seating; (iii) limits on lifting no more than 20 pounds; and (iv) private, non-bathroom space for expressing breast milk. An employer, may, however, request medical documentation for other accommodations.
- Employers must provide written notice to employees of the right to be free from discrimination due to pregnancy or a condition related to pregnancy, including the right to reasonable accommodations for conditions related to pregnancy, in a handbook, pamphlet, or other means of notice no later than April 1, 2018.
- Employers must also provide written notice of employees' rights under the Act: (1) to new employees at or prior to the start of employment; and (2) to an employee who notifies the employer of a pregnancy or a pregnancy-related condition, no more than 10 days after such notification.

The foregoing is a synopsis of the requirements under the Act, and both employees and employers are encouraged to read the full text of the law available on the General Court's website here:

<https://malegislature.gov/Laws/SessionLaws/Acts/2017/Chapter54>.

## SECTION V – Employee Acknowledgment

### V-1 Acknowledgment

This Human Resources Policy Manual describes important information about the City of Springfield. Employees should consult with City management and /or Human Resources regarding any question not answered in this manual.

The Human Resources Policy Manual does not and is not intended to create a contract of employment between the City and any of its employees, nor is it to be construed to constitute contractual obligations of any kind. Rather, the Human Resources Policy Manual is provided for employee guidance only. The provisions of the policies have been developed at the discretion of City management and, except for its policy of employment- at- will, may be amended, modified, revoked, rescinded or added to at any time, in the City’s sole discretion. This Manual does not and is not intended to create any enforceable rights or promises of any kind with respect to the terms and conditions of employment.

- I acknowledge that the City of Springfield may make revisions to the information, policies and benefits described in this Manual from time to time. All such changes will be communicated through official notices and I understand that revised information may supersede, modify or eliminate existing policies.
- I understand that I have entered into my employment relationship with the City of Springfield voluntarily and acknowledge that there is no specified length of employment. Accordingly, either the City or I can terminate the relationship at will, with or without reason, at any time, as long as there is not a violation of applicable federal or state law. I acknowledge that no oral or written statements or representations regarding my employment can alter the foregoing.
- I acknowledge that this Manual is not a contract of employment.
- I specifically acknowledge that I have reviewed the Harassment Policy in this Manual. I understand that, in the event that I believe I have been subjected to discrimination or harassment, including sexual harassment, that there is an internal complaint resolution process available to me (Reference Policy #'s 16 & 17)
- I understand that my signature below indicates that I have received a copy of the City of Springfield Human Resources Policy Manual, and I understand that it is my responsibility to read and comply with its provisions and any revisions made to it. I have read and understand the above statements.

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EMPLOYEE NAME (PRINTED)

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DATE

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EMPLOYEE NAME (SIGNATURE)

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EMPLOYEE ID NUMBER