

## **Section D: HUMAN RESOURCE PROCEDURES**

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**File: DA – DISCLAIMER**

The policies and procedures provided in **Section D: Human Resource Procedures** contain items relating to internal human resource, personnel, and hiring matters for the Walpole Recreation Department.

In all cases where there may be a conflict, Massachusetts General Law, state regulations, and the Charter, Administrative & Personnel By-laws, policies, procedures, and job descriptions of the Town of Walpole shall take precedent.

## **File: DB – DEFINITIONS**

For the purposes of these procedures, the following definitions and distinctions apply:

1. “Staff” means any person employed by the Recreation Department, not including a volunteer, who:
  - a. Is or may be present at any time at the program when participants are present and is in the service of the Department under any contract of hire, express or implied, oral or written, where the Recreation Department has the power or right to control and direct the person in the material details of how his/her work is to be performed; and
  - b. Is paid directly by the Recreation Department or the Town of Walpole. This does not include any person at the program performing contracted services (e.g. delivery person, maintenance staff, bus driver, or third party vendors) while under the supervision of the Recreation Department.
2. “Volunteer” means any person who performs services in an unpaid capacity for the Recreation Department.
3. All positions employed by the Recreation Department are described in detail in their respective job descriptions, as approved by the Walpole Personnel Board and found in Attachment vi of this Section.
4. References:
  - a. 105 CMR 430.020
5. Cross Reference:
  - a. Recreation Department Job Descriptions

## **File: DC – APPLICATIONS & “NEW HIRE” PROCEDURES**

1. All prospective candidates for employment must fill out a Town of Walpole Employment Application to be considered for employment.
2. All applicants who are offered a position to work with the Walpole Recreation Department must complete a “New Hire Information Employment Package” containing the following documentation:
  - a. Employee’s Name
  - b. Date of Hire
  - c. Application / Resume
  - d. W4 Tax Holding Form
  - e. Massachusetts State Tax Withholding Form
  - f. Form I-9, Employment Eligibility Verification Form
  - g. Employee Information Form
  - h. Deferred Comp OBRA Enrollment Form
  - i. Work Permit (Ages 14-17)
  - j. Sexual Harassment Policy
  - k. Direct Deposit
  - l. CORI Form
3. Completed “New Hire Information Packages” should be submitted to the Assistant Recreation Director / Business Manager for processing and submittal to the Human Resource Department.
4. After the applicant submits their “New Hire Information Package,” a Program Coordinator, Recreation Director, or Assistant Recreation Director should
  - a. Provide the new-hire with a copy of the “Walpole Recreation Department Employee Handbook”
  - b. Provide a demonstration of the ShiftPlanning application
  - c. Give the new-hire a copy of the Shiftplanning Handout that explains how to use ShiftPlanning
5. Under no circumstances should an applicant be authorized to work until their “New Hire Information Package” has been submitted to and approved by the Assistant Recreation Director.
6. Cross References:
  - a. Town of Walpole Employment Application
  - b. New Hire Packet

## **File: DD – “RE-HIRE” PROCEDURES**

1. Any employee who experiences a gap in employment or service for greater than the length of one season will be required to submit an employee application before being invited to return to work at the Recreation Department.
2. Candidates invited to return to work at the Recreation Department must complete a “Rehire Package,” containing the following documentation:
  - a. Updated Personal Contact Information “Employee Information Form”
  - b. CORI Form
3. Completed “Re-Hire Packages” should be submitted to the Assistant Recreation Director / Business Manager for processing.
4. Cross References:
  - a. Re-Hire Packet

## **File: DE – COLLECTION OF BACKGROUND INFORMATION**

5. Each staff person and volunteer shall have a background free of conduct that bears adversely upon his or her ability to provide for the safety and well-being of Recreation Department program participants.
6. For all prospective staff, the Recreation Department will require the following information at a minimum:
  - a. Prior work history, including name, address and phone number of a contact person at each place of employment for the previous five years; and
  - b. Three references from individuals not related to the staff person including, but not limited to, previous employers or school administrators.
  - c. Inquiry into each staff person's prior criminal history obtained by a CORI authorized person. Such inquiry shall include, at a minimum, a criminal history inquiry as indicated:
    - i. Massachusetts Resident - a CORI Report obtained from the Department of Criminal Justice Information Services.
    - ii. Out-of-State Resident - a criminal record check, or equivalent where practicable, obtained from the staff person's state of residence. Information can be obtained from the state's criminal information system, local chief of police, or local authority with relevant information.
7. For all prospective volunteers, the Recreation Department will require the following information at a minimum:
  - a. Prior work or volunteer history, including name, address and phone number of a contact person at each place of employment or volunteer service for the previous five years.
  - b. A CORI Report obtained from the Department of Criminal Justice Information Services by a CORI authorized person.
  - c. A copy of a valid government issued identification.
8. Any employee who experiences a gap in employment or service for greater than the length of one season will be required to reapply and undergo an inquiry into their criminal history by a CORI authorized person.
9. The Recreation Director shall determine whether each applicant and volunteer's conduct, criminal or otherwise, shall disqualify that person from employment or service at the Recreation Department. In making this determination, the Recreation Director shall consider at a minimum information required under 105 CMR 430.090(C).
10. All documentation for the employee will remain on file in the Human Resource Administration office for the Town of Walpole.
11. References:
  - a. 105 CMR 430.090
  - b. MGL c6 §172G

## **File: DF – STAFF SCHEDULING**

1. All Recreation program staff are required to use *Humanity*, the Recreation Department's online scheduling system. *Humanity* is available on any electronic device with Internet access, making it convenient, secure, and easy-to-use. To access *Humanity*, visit either [www.shiftplanning.com](http://www.shiftplanning.com) or download the *Humanity app* in either the Apple or Google Store.
2. The Recreation Department work-week begins each Friday at 5:00PM and ends at 4:59 on the following Friday.
3. All schedules for a work-week will be published on *Humanity* by 2:00PM on the preceding Thursday in order to give staff adequate time to prepare for their shifts.
  - a. For example: The schedule for the work-week of Nov. 20 – Nov. 26 will be posted by 2:00PM on Thursday, November 17.
4. It is the responsibility of each employee to check their schedule, be aware of their scheduled shifts, and to report to shifts on time.
5. If an employee cannot work a scheduled shift, it will be that employee's responsibility to find a replacement with another employee authorized to perform that level of work. All shift replacements must be approved in advance by the Recreation Director, Assistant Recreation Director, or a Program Coordinator.

## **File: DG – NEW STAFF ORIENTATION AND TRAINING**

1. After being offered a job to work for the Recreation Department, all new employees will be given the “Walpole Recreation Department Employee Handbook” which details requirements and expectations of Recreation Department employees.
2. Prior to being scheduled to work at a program or supervise children, counselors must also undergo an orientation to learn information about the department’s organization, mission, and vital policies & procedures. The orientation will either be online or in person and include any necessary training specific to overseeing groups of children and certain program activities.
3. New employees will be required to sign off that they have received the handbook and undergone an orientation before they can be scheduled for a shift. New employees may not be responsible for a group of children until they have signed off that they have received the orientation and handbook.
4. Once each year, the Recreation Department will offer CPR & First Aid training for all staff positions (excluding junior counselors and counselors-in-training) who are not certified in First Aid & CPR or require recertification.
5. In addition to the orientation, prior to the start-date for each youth recreation program, the Program Coordinator responsible for that program will schedule and oversee a training tailored specifically to that program to review instructions, the program of activities, the physical environment of the program, as well as important safety information, such as what to do in the event of a fire.
6. References:
  - a. 105 CMR 430.091

## **File: DH – TRAINING PERIOD**

1. All new Recreation Department counselors and program instructors will be required to complete a training regimen before being allowed to supervise or instruct a program or children on their own.
2. The requirements of the training will be detailed on a separate checklist which will be formulated by the Recreation Director. The training will include tasks which will better prepare the counselors and instructors to supervise programs.
3. At the end of the training period, Program Coordinators will observe the new hire and provide an evaluation. If the new employee requires improvement in certain areas, the new employee must seek further training and guidance before being allowed to supervise or instruct a program on their own.

## **File: DI – INSTRUCTOR & COUNSELOR SEASONAL EVALUATIONS**

1. The Recreation Department operates on a seasonal schedule and therefore all Recreation Department program staff are required to achieve satisfactory performance during the duration of their hired season before being invited to work at the Recreation Department beyond that initial season.
2. To help establish satisfactory performance, a separate performance evaluation tool should be completed for each program staff person by their direct supervisor at the conclusion of each season. The employee evaluation tool should be used to address employee performance over the past season. The specific standards measure initiative, dependability, leadership, and execution of responsibilities.
3. During the summer season, Program Coordinators should conduct mid-season evaluations every second week of the summer to give Program Coordinators adequate time to monitor employee performance and express concerns to staff and for program staff to address the concerns and build on areas of improvement. Beyond the initial evaluation, hours should be adjusted to reward staff who are performing well, but should not be reduced before expressing and documenting concerns to the staff member about the dissatisfactory performance.
4. Just as the performance evaluation tool should be used to provide feedback and room for improvement, it should also be used to provide commendation and positive feedback.
5. Completed evaluations should be signed by the evaluator and the employee and kept on file with the Recreation Director.
6. References:
7. Cross References:
  - a. Recreation Department Seasonal Employee Performance Evaluation Rubric

## **File DJ: EMPLOYEE CODE OF CONDUCT**

1. Proper Dress
  - a. Recreation Department employees are ambassadors of the department and are expected to reflect a professional image at all times.
  - b. Staff should always be dressed appropriately for work, including in a staff shirt and wearing proper shoes. Unless the staff member is a lifeguard, open-toe shoes, sandals, and flip-flops are not allowed, nor are boots or black-soled shoes on the basketball courts. Under no circumstances will slippers be allowed.
2. Proper Attitude & Public Perception
  - a. Staff should always carry themselves with a positive attitude. Working with the public requires professional, courteous, positive, and friendly attitudes.
  - b. Counselors' roles instructing programs are to interact with children; therefore, if the children are playing counselors should also be playing. Staff members are expected to participate fully.
3. Proper Language
  - a. Recreation employees are role models for the program participants. Swearing, foul language, and inappropriate gestures will not be tolerated.
4. Cell Phones
  - a. Cell phones should be turned off or set to silent during the entirety of a scheduled shift. At no time should a staff member be texting or talking on the phone while they are engaged in a program.
5. Tardiness
  - a. It is the responsibility of each employee to check their schedule, be aware of their scheduled shifts, and to report to shifts on time.
6. Social Media
  - a. Department staff should be advised not to use social media or social networking in any way that would have an adverse effect on the reputation or mission of the Town of Walpole and/or the Recreation Department.
  - b. Any online activity may have the effect of diminishing the public's trust and/or confidence in the department.
  - c. Any online actions that detract from the mission of the department or reflect negatively on the department will be viewed as a direct violation of this policy.

## **File DK: SEXUAL HARASSMENT POLICY & PROCEDURES**

### **Town of Walpole Sexual Harassment Policy (Updated March 2017)**

The Town of Walpole is committed to the provision of a safe and non-discriminatory work place for all of its employees excluding those employees under the supervision and control of the School Committee. Pursuant to this commitment the Board of Selectmen and the Personnel Board endorse and adopt the following policy and its adjunct procedures to educate employees, to comply with statutory mandates, to address real and potential incidents and to strive to secure a harassment-free work environment.

I. It is illegal and against the policies of the Town of Walpole for any employee or Town Official, male or female, to sexually harass another employee by:

1. making unwelcome sexual advances or requests for sexual favors or other verbal or physical conduct of a sexual nature, a condition of the employee's continuing employment; or
2. making submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting the individual; or
3. such advances, requests or conduct have the purpose or effect of unreasonably interfering with an individual's work performance by creating an intimidating, hostile or offensive working environment.

Examples of conduct, which may constitute sexual harassment include but are not limited to:

- a)
- b) using one's position or authority, either implicitly or explicitly, to coerce an employee into complying with sexual favor;
- c) unwelcome physical touching, cornering or brushing against the body, suggestive or insulting comments;
- d) questions and compliments about a person's sexual behavior, sexually oriented jokes, or comments about a person's body or conversations filled with sexual innuendo and double meanings, and
- e) displaying sexually suggestive pictures or objects in the work place, leering or ogling in a sexually explicit manner, or gesturing and making lewd motions with one's body.
- f) viewing sexually explicit websites, sending sexually explicit emails or voicemails.

II. Retaliation against an individual who has complained about sexual harassment, and/or retaliation against individuals for cooperating with an investigation of a sexual harassment complaint is unlawful and will not be tolerated by the Town of Walpole.

III. Any employee who believes he or she has been the subject of sexual harassment should report the alleged act(s) and/or behavior to his or her department head and/or the Town Administrator (508-660-7304), the Assistant Town Administrator (508-660-7288) and/or the Human Resource Administrator (508-660-7294). Complaints should be made within a timely manner. Complaints may also be made through contacting either of the two government agencies below:

**Massachusetts Commission Against Discrimination**

One Ashburton Place, Room 601  
Boston, MA 02108 (617) 994-6000  
Web site [www.mass.gov/mcad](http://www.mass.gov/mcad)

**Equal Employment Opportunity Commission**

John F. Kennedy Federal Building  
475 Government Center  
Boston, MA 02203 (800) 669-4000  
Web site [www.eeoc.gov/boston](http://www.eeoc.gov/boston)

An investigation of all complaints will be undertaken immediately and in compliance with the Sexual Harassment Complaint Procedure. Any supervisor, agent or other employee who has been found by the administration after appropriate investigation to have sexually harassed another employee will be subject to appropriate sanctions, which range, depending upon the circumstances, from remedial training up to and including termination.

Any retaliation for filing a complaint or cooperating in an investigation is unlawful and is prohibited by the Town. Retaliatory action shall be regarded as a separate and distinct cause for complaint under the Sexual Harassment Complaint Procedure, and as a basis for disciplinary action against the offending employee should investigation validate said complaint.

III. The complaint procedure shall be implemented in instances of the alleged sexual harassment of employees by non-employees and on non-employees by employees occurring in the work place and within the jurisdiction of the complaint procedure of the Town of Walpole. Alleged occurrences, which are not within the jurisdiction of the complaint procedure, will be referred to an enforcement agency, if applicable. If there is no available enforcement agency, administration will take reasonable steps to prevent such conduct.

The Board of Selectmen and the Personnel Board affirm their responsibility to provide a work environment free of sexual harassment and recognize that such an environment is the result of continued responsible action and behavior by all employees. Any employee is encouraged to raise questions regarding sexual harassment or other barriers to equal employment opportunity with the Assistant Town Administrator.

**Town of Walpole Sexual Harassment Complaint Procedure**

Any employee who believes that he or she has been the subject of sexual harassment should report the alleged charge immediately in accordance with the following procedure. (All information disclosed in the procedure will be held in strictest confidence and will only be disclosed on a need-to-know basis in order to investigate and resolve the matter.)

**Step 1**

The individual alleging sexual harassment will report the incident to the to his or her department head and/or Town Administrator, Assistant Town Administrator or Human Resource Administrator as soon as possible and will be interviewed to discuss the nature of the allegations. If said allegations are made to another person, the matter must be immediately

directed to the Assistant Town Administrator. The Assistant Town Administrator will discuss the matter separately with the complainant and alleged harasser, in an attempt to mediate and resolve the matter.

### **Step 2**

If the matter cannot be resolved, the individual alleging sexual harassment will be informed.

- That in order to pursue the complaint further, he or she must, with assistance if requested, detail the nature of the complaint, and
- That there are external procedures, administrative and judicial (MCAD, EEOC and personal legal counsel) which are also available recourse.

If the complainant does not detail the allegations, the specific complaint cannot be further investigated by the Town of Walpole Officials unless circumstances clearly indicate otherwise. Upon receipt of the details of the complaint, the Town Administrator will be notified. The Town Administrator shall determine involvement of legal counsel.

### **Step 3**

Within five days after receiving the details of the complaint (if at all possible), the alleged harasser will meet with the Assistant Town Administrator and be informed of:

1. the charge being made,
2. Town policy regarding sexual harassment, and
3. the seriousness of the charge made.

The respondent will be provided with the details of the complaint and given the opportunity to refute the allegation by responding verbally or in writing, providing all specifics in support of rebuttal.

### **Step 4**

The Assistant Town Administrator shall investigate the allegations. This investigation can include, but is not limited to:

- interviews with respondent/complainant,
- interviews with supervisor,
- interviews with witnesses, and
- review of any documents on file

Upon the commencement of Step 2 of complaint, the Assistant Town Administrator will report findings of fact to the Town Administrator. In all cases, the thorough investigation and thoughtful consideration are paramount, however, timely resolution remains the objective. The Town Administrator will determine the action to be taken and it will be based on the facts on a case-by-case basis with whatever consultation the Town Administrator may require.

### **Step 5**

Upon receipt of the Town Administrator's determination, either party may appeal the decision in writing to the Board of Selectmen\* or the Personnel Board\* within 15 days. This appeal must outline the reasons why the individual feels the decision to be erroneous. The Board of Selectmen or the Personnel Board will determine the final outcome through review of the record or a meeting of all parties. However, any action directed by the Town Administrator shall be implemented upon his/her determination and such action will also be reviewed upon appeal.

Any retaliatory action taken by an employee against any other employee as a result of an

individual's seeking redress under this procedure is prohibited and shall be regarded as a separate and distinct cause for complaint under this procedure, and as a basis for disciplinary action against the offending employee.

\*Complainants whose positions are covered by Union Contracts shall appeal to the Board of Selectmen; complainants whose positions are not covered by collective bargaining agreements shall appeal to the Personnel Board.

## **File DL: DRUG-FREE WORKPLACE**

The Federal Drug-Free Workplace Act of 1988 states that the unlawful manufacture, distribution, dispensing, possession, or use of controlled substances at the workplace is prohibited. All employees are required to conform to this act. An employee is also required to notify his/her supervisor of any criminal drug statute conviction for a violation occurring in the workplace no later than five days after such a conviction. Convicted employees will be subject to disciplinary action which may result in termination of employment or in mandatory participation in a drug rehabilitation program. Information concerning dangers of illegal drugs and confidential drug counseling is provided by the Governor's Alliance on Drugs (727-0786) and through individual health care providers. This section is not intended to allow the employer to subject employees to any type of drug testing, mandatory or otherwise.

## File DM: OVERALL DISCIPLINE

1. All Recreation Department employees are required to follow the Recreation Department Code of Conduct, the Recreation Department Employee Handbook, and the policies and procedures of the Town of Walpole.
2. Failure to follow these policies and procedures will result in the following disciplinary process:
  - a. Verbal Warning: The employee will receive a verbal warning from a Program Coordinator, the Recreation Director, or the Assistant Recreation Director
  - b. After a verbal warning...
    - i. **1<sup>st</sup> Occurrence – Written Warning:** The employee will need to meet with the Recreation Director. The Recreation Director will deliver a formal, written warning that will be placed in the employee's file.
    - ii. **2<sup>nd</sup> Occurrence – Suspension from Shifts:** The employee will need to meet with the Recreation Director and the employee will be written up and suspended for an amount of time no longer than one week. The Recreation Director will deliver a formal, written notice that will be placed in the employee's file.
    - iii. **3<sup>rd</sup> Occurrence – Termination:** The employee will be terminated from all positions held at the Walpole Recreation Department. The Recreation Director will deliver a formal, written notice that will be placed in the employee's file.
3. Most minor offenses will follow this process. These offenses include, but are not limited to, tardiness, failure to wear the proper uniform, failure to properly and completely fill out required forms, failure to complete job responsibilities, and failure to follow written policies.
4. Some offenses, such as missing a scheduled shift, may be subject to further disciplinary action by the Recreation Director, up to and including termination. Showing up to work under the influence of alcohol and/or drugs will result in immediate termination.