

WAYLAND PUBLIC SCHOOLS

Wayland, Massachusetts

NON-UNION  
EMPLOYEE HANDBOOK

*Policies and Procedures  
for Non-Union Employees*

**THIS HANDBOOK IS NOT A CONTRACT OF EMPLOYMENT**

**THE WAYLAND SCHOOL DISTRICT RESERVES THE RIGHT TO REVISE, SUPPLEMENT OR  
RESCIND ANY POLICIES OR PORTION OF THE HANDBOOK AT ANY TIME**

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## **PURPOSE**

The purpose of this handbook is to help inform non-union employees about the personnel policies and procedures of the Wayland Public Schools. This handbook is only a general guide to Wayland School District policies, practices or procedures generally followed with respect to non-union employees in the Wayland School District. It should be noted that this handbook is not intended to be all-inclusive. There are additional policies relevant to non-union employees in the Wayland School Committee Policy Manual. This handbook is also not intended to replace the good judgment of supervisors and employees in the implementation of the procedures and practices contained herein. Please read through it carefully and retain it for future reference.

This handbook is not a contract of employment, nor does it comprise part or all of any express or implied contract of employment. No supervisor, manager, or agent of Wayland School District other than the Superintendent has the authority to enter into any employment agreement with you or to make any promises or commitments. Further, any employment agreements that may be entered into by the Superintendent must be in writing to be enforceable. All other employees of the Wayland School District are employed on at-will basis. As such, you or the Wayland School District may terminate the employment relationship at any time for any reason not otherwise prohibited by law.

The handbook is not intended for employees of the BASE program, The Children's Way, the Pegasus program, or other employees who come under the direct supervision of the administrative staff of the Wayland School Community Programs.

The specific policies, practices, and procedures described herein may be modified, amended, suspended, deviated from, or terminated altogether, at any time, with or without prior notice, as the Superintendent deems circumstances warrant and in his or her sole discretion. Questions or comments regarding this handbook should be directed to the Superintendent of Schools.

## **I. GENERAL POLICIES**

### **EQUAL EMPLOYMENT OPPORTUNITY**

The Wayland School District is committed to providing equal employment opportunity to all employees and applicants for employment regardless of their race, color, creed, religion, sex, age, national origin, mental or physical disability, marital status, genetic information, veteran status, sexual orientation, or any other prohibited basis of discrimination under any applicable state or federal law. This policy applies to all terms and conditions of employment including without limitation, advertising, recruiting, hiring, placement, compensation, benefits, transfers, promotions, demotions, layoffs, returns from layoffs and training. Any employee who believes that he or she has been the victim of employment discrimination should report the matter immediately to the Assistant Superintendent. The Wayland School district is an equal opportunity employer.

### **DISCRIMINATION AND HARASSMENT**

It is the policy of the Wayland School District that no employee, customer, vendor, independent contractor, parent, student or other individual with whom our employees come into contact in connection with their employment with the Wayland School District, will be discriminated against based upon their race, religion, creed, color, sex, sexual orientation, age, national origin, disability, veteran status, or other protected class or characteristic under any applicable federal, state, or local statute or ordinance. Employees should not engage in slurs, epithets, threats, derogatory comments, unwelcome jokes, and taunting of any kind that may create an intimidating, hostile or offensive working environment or may interfere with an individual's work performance.

All individuals will be treated equally in receiving services and no one shall be refused service on the basis of their race, religion, creed, color, sex, sexual orientation, age, national origin, disability, veteran status, or other protected class or characteristic established under any applicable federal, state, or local statute or ordinance. Employees who engage in harassment and/or discrimination as described above will be subject to appropriate disciplinary action, up to and including termination from employment.

### **SEXUAL HARASSMENT**

It is the goal of the Wayland School District to promote a workplace which is professional and which treats all of those who work here with dignity and respect. Sexual harassment is unlawful and will not be tolerated. Furthermore, any retaliation against an individual who complains about sexual harassment or cooperates with an investigation of a sexual harassment complaint is similarly unlawful and will also not be tolerated. Because the Wayland School District takes

allegations of sexual harassment seriously, we will respond promptly to complaints of sexual harassment and, where it is demonstrated to our satisfaction that inappropriate conduct has occurred, we will act promptly to eliminate the conduct and impose such corrective action as is necessary, including disciplinary action where appropriate.

“Sexual harassment” means unwelcome 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 conduct has the purpose or effect of unreasonably interfering with an individual’s work performance by creating an intimidating, hostile, humiliating, or sexually offensive work environment.

These definitions are broad and include any sexually oriented conduct, whether it is intended or not, that is unwelcome and has the effect of creating a workplace environment that is hostile, offensive, intimidating, or humiliating to male or female employees. While it is not possible to list all of the circumstances that would be considered sexual harassment, the following are some examples:

- Unwelcome sexual advances—whether they involve physical touching or not;
- Requests for sexual favors in exchange for actual or promised job benefits such as favorable review, salary increases, promotions, increased benefits, or continued employment;
- Sexual assault or coerced sexual acts.

The following conduct may also constitute sexual harassment:

- Use of sexual epithets, sexual jokes, or written or oral references to sexual conduct; comments regarding one’s sex life; sexual comments on an individual’s body; comments or inquiries about an individual’s sexual activity, deficiencies, or prowess;
- Displaying sexually suggestive objects, pictures or cartoons;
- Leering, sexual whistling, brushing against the body, sexual gestures, or suggestive or sexually insulting comments;
- Discussion of one’s sexual activities.

If you believe that you have been subjected to sexual harassment, you are encouraged to file an internal complaint, either orally or in writing, with the Grievance Officer. Once a complaint has been received, the Grievance Officer will investigate the allegation in a fair and expeditious

manner. The investigation would include an interview with the person filing the complaint and with witnesses. All matters involving charges of sexual harassment will be kept confidential to the extent practicable. The Grievance Officer will also interview the person alleged to have committed sexual harassment. The Grievance Officer will hold as many meetings with the parties as he/she may deem necessary to establish the facts. On the basis of the Grievance Officer's perception of the situation he/she may attempt to resolve the matter informally through reconciliation or report the incident and transfer the record to the Superintendent of his/her designee, and so notify the parties by certified mail. After reviewing the record made by the Grievance Officer, the Superintendent or his/her designee may attempt to gather any more evidence necessary to make a fair determination of what responsive actions are required, and thereafter impose any sanctions deemed appropriate. If our investigation reveals that sexual harassment has occurred, we will act promptly to eliminate the offending conduct. Where it is appropriate, we will impose disciplinary action, which could include the termination of the offending employee.

If the Wayland School District determines that one of its employees has engaged in sexual harassment or has retaliated against another employee for complaining of sexual harassment, appropriate disciplinary action will be taken against the offending employee depending upon the circumstances. Such action may include: counseling, informal or formal reprimand, verbal or written warning, suspension, reduction in pay, reduction in duties, transfer, or other formal sanctions including termination from employment. In addition to the above, if you believe you have been subjected to unlawful harassment and you are not satisfied with the disposition of your complaint, you may file a formal complaint with The United States Equal Employment Opportunity Commission and The Massachusetts Commission Against Discrimination.

## **COMPLAINTS REGARDING PERSONNEL**

### **General Principles**

1. A complaint is any directed information that comes to the attention of a supervisor, which the supervisor determines to be worthy of an investigation.
2. Whenever a complaint is brought to the attention of a supervisor, the supervisor will encourage the complainant to speak directly to the staff member involved, unless the subject matter is of a nature that warrants independent investigation. In that case, the supervisor will handle the matter.
3. Substantial complaints regarding a staff member to any member of the administration will be reviewed with the staff member at a time appropriate to the nature of the complaint.
4. Any complaint that becomes the basis for an investigation must be reduced to writing, preferably by the complainant. If the person making the complaint is unwilling or unable to reduce it to writing, then the person receiving it must do so.
5. It will be the responsibility of the supervisor or the Superintendent or his or her designee to



conduct an appropriate investigation, which will include bringing the complaint to the attention of the staff member accused at a time appropriate to the nature of the complaint and the investigation. Investigations will be conducted with thoroughness and with as much respect for the privacy of affected parties as the circumstances allow.

6. In all cases, complaint investigation should be brought to a close as soon as possible. This will include a written finding of fact and a recommended disposition.

## **Investigation of Serious Complaints**

### 1. Definitions:

- a) **Serious Complaint:** Any complaint or allegation made against an employee which the Superintendent determines is of such a nature which, if substantiated, would result in the recommendation that the employee be suspended or dismissed.
- b) **Legal Counsel:** Town Counsel, Labor Relations Counsel, or any other attorney the School Committee may authorize the Superintendent to consult.
- c) **Person:** For purposes of this document, a non-union employee of the Wayland Public Schools.

### 2. The following procedure is intended to set forth the steps which will ordinarily be followed in the event that a complaint of a serious nature is brought to the attention of the administration:

- a) The supervisor receiving the complaint will ask the complainant to put it in writing. If the complainant is unwilling to do so, then the supervisor who heard the complaint should do it. Said written statement of the complaint should be as detailed as possible, including the names of anyone involved; the dates, times, and places of any alleged misconduct; a detailed description of the alleged misconduct; and any surrounding circumstances that may be relevant to the situation.
- b) The supervisor who receives the complaint should make no commitments to the complainant other than to assure him or her that the matter will be referred to the Superintendent for a determination of whether or not further investigation is warranted. If, upon examination of the matter, the Superintendent concludes it is a serious complaint, he/she (or a designee) will consult with legal counsel as needed and determine what steps need to be taken.
- c) The Superintendent may choose to notify the School Committee that he/she has received a serious complaint, including the general nature of the allegation, the personnel involved, and the nature of the investigation he/she will conduct.
- d) The Superintendent will determine the appropriate time to bring the allegations to the attention of the personnel involved. In doing so, the objective should be to bring the

matter to the attention of the accused staff member as soon as possible, without compromising the integrity of the investigation that needs to be conducted.

- e) When the Superintendent determines that the matter should be brought to the attention of the accused staff member, the desired approach would be for the Superintendent or his/her designee to contact the staff member, in writing, calling him/her to the Superintendent's office for a meeting. The staff member should also be notified that the subject of the meeting could lead to discipline.
- f) The Superintendent will inform the staff member of the allegations that have been made and advise the staff member that an investigation of the allegations is being conducted. If the Superintendent deems that the situation requires an immediate suspension, that fact will be communicated to the staff member in writing together with a statement of whether or not the suspension will be with or without pay. Whether a suspension is paid or unpaid will be a determination made in the Superintendent's sole discretion and in accordance with applicable law. Suspensions may be with or without pay, at the discretion of the Superintendent. Exempt employees may continue to receive their regular weekly wage, depending on the reasons for their suspension. Pay lost during a suspension will be restored to an employee who is exonerated of the allegations giving rise to the suspension.
- g) During the course of an investigation, the Superintendent may, if he/she deems it appropriate, schedule a suspension or dismissal hearing and issue the proper notification to the staff member involved.
- h) At every stage, the school administration will strive to keep personnel matters involving serious complaints and investigations as confidential as possible. Absolute confidentiality, however, can never be assured; and the desire for confidentiality must always yield to the imperative of conducting a full and fair investigation. Whenever an investigation involves the health, safety, or welfare of pupils or other staff, or if the allegations involve alleged criminal activity, the Superintendent shall take whatever steps he/she deems necessary to protect pupils and staff, including notification to and cooperation with appropriate law enforcement officials.
- i) If at any time during the investigation of charges the staff member involved resigns, the School Department shall terminate its investigation and seal any records resulting from said investigation in a case file which shall remain closed unless the School Committee determines it should be opened for some purpose deemed to be in the best interest of the School Department.

## **BULLETIN BOARDS**

Bulletin Boards are used to maintain an effective avenue of communication with Employees. Employees should inspect these boards for important announcements and work-related information. Employees may not post printed or written material, photographs or announcements of any kind on bulletin boards or anywhere else on School District property without the Superintendent's approval.

## **CODE OF CONDUCT**

Employees of the Wayland School District have an obligation to familiarize themselves with and abide by the laws of the Commonwealth of Massachusetts as these apply to their work, the policies of the School Committee and the regulations designed to implement them. Employees also have an obligation to respect and to be fair to other staff members, parents and students. Employees must not engage in, nor permit, harassment or illegal discrimination. Spoken or written intimidation, harassment, coercion, or threats of violence are unacceptable and will not be tolerated. Additionally, behavior that jeopardizes the health and safety of staff or students is unacceptable. Employees have an obligation to maintain proper standards of conduct at all times. Employees must act in a courteous and respectful manner toward all people and employees at all times. Employees must conduct themselves in a manner that not only reflects positively on the school system but also sets forth a model worthy of emulation by students.

## **CRIMINAL HISTORY CHECK (CORI)**

All employees are required by law to authorize in writing and submit to a Criminal Offender Record Information (CORI) check. Data contained in the CORI report may disqualify an individual from employment, or continued employment with the Wayland School District. All Employees are also required to authorize in writing and submit to additional criminal history checks periodically, but not less often than every three years. Continued employment is contingent upon favorable review of the employee's CORI re-checks. See C.O.R.I. Requirements in the Wayland School Committee Policy Manual, Section A for additional information and requirements.

## **DISCIPLINE**

The Wayland School District may take the following types of disciplinary action against Employees for improper conduct and poor performance: Verbal warning; Written warning; Suspension\*; Final warning; Discharge. The Wayland School District, in its sole discretion will determine the appropriate disciplinary action to be taken for each offense. The Wayland School District does not guarantee that one form of action will necessarily precede another.

Other offenses deemed inappropriate by the Wayland School District may subject employees to disciplinary action, up to and including termination. Employees may request that the Superintendent review the circumstances of their discipline, suspension or dismissal. All decisions of the Superintendent are final and are not subject to further review.

\*Suspensions may be with or without pay, at the discretion of the Superintendent. Exempt employees may continue to receive their regular weekly wage, depending on the reasons for their suspension.

## **DRUGS AND ALCOHOL**

Employees are prohibited from reporting to work or working while under the influence of alcohol or controlled substances. Employees are also prohibited from engaging in the unlawful or unauthorized manufacture, distribution, sale, use or possession of illegal drugs and alcohol in the workplace or on work time. Any employee taking prescribed medication that may impair his or her ability to perform job duties should inform his or her supervisor of such limitations.

## **EMAIL, VOICEMAIL, COMPUTER AND INTERNET USAGE**

Internet access, electronic mail, telephone voicemail and computer hardware and software are provided to employees for work-related business. For detailed information on this policy, please refer to the Technology Acceptable Use Policy.

## **EMPLOYMENT OF RELATIVES**

It is not in the best interests of the employee or the Wayland School District for close relatives to be employed within a supervisory-subordinate line of authority. The School District's objective in administering this policy is to avoid the creation of a conflict of interest, avoid favoritism or the appearance of favoritism in the workplace.

For purposes of this policy, the following definition will apply:

Close Relative is an individual who is related by a blood relation such as parents, children, siblings, aunts/uncles, cousins, or one who is related by marriage such as spouses, in-laws or step children.

No person may work, be hired to work or remain in the same supervisory-subordinate line of authority as a Close Relative.

## **FRATERNIZATION**

While the School District recognizes the rights of employees to associate freely and to pursue personal relationships, a romantic or otherwise intimate relationship between employees in the same supervisory-subordinate line of authority is unprofessional and potentially disruptive, especially if the conduct creates an uncomfortable work environment for, or has an adverse impact on others. The School District's objective in administering this policy is to avoid the creation of a conflict of interest, avoid favoritism or the appearance of favoritism, and decrease the likelihood of sexual harassment in the workplace.

For purposes of this policy, the following definition will apply:

Involved in a Relationship: Individuals who are dating, residing in the same household as domestic partners, engaged to be married, married (including a civil union), or otherwise involved in a relationship that is physical, sexual, romantic and/or more than purely professional.

Employees may not initiate or become Involved in a Relationship with another employee in a supervisory-subordinate line of authority. No person may work, be hired to work or remain in the same supervisory-subordinate line of authority as an employee with whom he or she is Involved in a Relationship. Also, no person may work, be hired to work or remain in any position in which the School District believes a conflict or the appearance of a conflict of interest may exist.

## **INCLEMENT WEATHER**

When regularly scheduled sessions of school are called off due to inclement weather, all offices will ordinarily be open for business. When school is cancelled, ten-month non-union employees will not be required to work and a work day will be added to the end of their work year. Twelve-month non-union employees are expected to report to work as travel conditions permit. A twelve-month employee who remains at home because he or she believes that storm conditions make it too dangerous to reach the office, must notify his or her primary evaluator. If the Superintendent in his or her sole discretion decides not to open the offices due to weather and travel conditions, all staff who were scheduled to work that day will be notified and will be paid their regular wages for that day.

## **LINES OF AUTHORITY AND STAFF RELATIONS**

Non-union employees will be expected to refer matters requiring administrative action to the administrator to whom they are responsible. The administrator will refer such matters to the next higher administrative authority when necessary. It is expected that the established lines of authority will serve most purposes. Additionally, lines of authority do not restrict in any way the cooperative, sensible working together of all staff members at all levels in order to develop the best possible school programs and services. The established lines of authority represent

direction of authority and responsibility, when the staff is working together, the lines represent avenues for a two-way flow of ideas to improve the program and operations of the school system.

## **NO SMOKING**

It is the objective of the Wayland School District to provide a safe and healthy work environment for all employees. In keeping with this commitment, it is the District's intention to provide a smoke-free work environment for all employees, students and visitors. No smoking is permitted in buildings or on school grounds or buses, at any time, pursuant to applicable state law and local town ordinance.

## **PERSONNEL FILES**

A personnel file is maintained for each employee. Employees shall be notified within 10 days of information being placed in their personnel files that is used, has been used or may be used to negatively affect the Employees' qualifications for employment, promotion, transfer, additional compensation or disciplinary action. Employees who submit a written request to the Superintendent may review or copy their personnel record within 5 days of the request, in the presence of the Superintendent or his/her designee, during normal business hours. No more than two such reviews will be permitted per calendar year, except for review of negative information placed in the file as described above. If an employee disagrees with any information contained in his or her personnel file, he or she may request that the information be corrected. If no agreement is reached, the employee may submit a signed written statement explaining his or her position, which will be included in the employee's personnel file.

The Wayland School District's policy is to respect individual privacy, and to keep all personnel records confidential to the extent practicable and to the extent required by law. Access to personnel files will be limited to persons authorized by the Superintendent and those employees who have a legitimate need to know. All personnel files are the property of the Wayland School District, and no part of them may be removed without authorization.

## **PROFESSIONAL ATTIRE**

All employees should project a professional image by wearing professional attire during work hours, in the workplace, in school buildings and on school property, and at school-related functions, meetings and events. If a substantially limiting disability or religious practice prevents compliance with this policy, please notify the Superintendent to discuss an accommodation (validation may be required).

## **SOLICITATIONS AND DISTRIBUTION**

Supervisors should not solicit for charitable contributions from employees who report to them directly or indirectly. No solicitations of funds for charitable purposes is permitted among staff members except with prior approval of the Superintendent or his designee. Under no circumstance should an employee be pressured into making a donation or participate in a charitable activity.

Employees may not distribute literature or materials for any purpose not directly related to their assigned work.

Employees may not directly or indirectly sell any item or post literature or other matters, on School District premises or work sites without proper authorization.

Individuals who are not employed by the School District may not solicit or distribute materials on school premises or work sites.

## **STUDENT TRANSPORTATION BY EMPLOYEES IN PRIVATE VEHICLES**

Commercial vehicles, including buses, are the preferred mode of transportation of students participating in co-curricular or extra-curricular activities. However, in limited circumstances, private vehicles driven by school employees may be permitted to transport students to or from school activities that fall within the academic day or extend the school day, provided all of the following conditions are met:

1. The transportation arrangement has the approval of the most senior staff member present. Effort should be made to contact the appropriate administrator to approve the arrangement.
2. All drivers have completed the requirements of a C.O.R.I. check.
3. A driver's record check has been conducted through the Department of Motor Vehicles and has been determined to be satisfactory by the Superintendent of Schools.
4. The owner of the vehicle being used in transporting students has filed evidence with the Superintendent of personal liability insurance coverage on the vehicle in the amounts of \$100,000 - \$300,000 or more.
5. Effort should be made to contact the parent or guardian in advance for permission to transport the child in this manner.

## **II. WORK AND PAY**

### **CATEGORIES OF EMPLOYMENT**

FULL-TIME EMPLOYEES regularly work at least 35 hours each week and are eligible to participate in the Wayland School District's health insurance plans, after meeting the plans' length of service requirements.

PART-TIME EMPLOYEES regularly work less than 35 hours each week or work on an intermittent basis and Part-time employees working less than 20 hours each week. Part-time employees are not eligible for the Wayland School District's health insurance plans.

NON-EXEMPT EMPLOYEES are hourly employees who are entitled to overtime pay under applicable state and federal law for all hours worked in excess of 40 hours per week.

EXEMPT EMPLOYEES are certain salaried employees who are exempt from the overtime provisions of applicable state and federal law.

12-MONTH EMPLOYEES work beyond the school year and are eligible to participate in the Wayland School District's health insurance plans (if they regularly work at least 35 hours each week), after meeting the plans' length of service requirements.

10-MONTH EMPLOYEES work during the school year and are eligible to participate in the Wayland School District's health insurance plans (if they regularly work at least 35 hours each week), after meeting the plans' length of service requirements.

### **ATTENDANCE AND WORK HOURS**

The School District depends upon every employee to report to work on time and to work his or her full scheduled workday, with a positive attitude and focused on the performance of his or her assigned job while serving Wayland's children and the community as a whole. An employee's work hours and work schedule will be determined by his or her supervisor. While attempts will be made to meet the individual needs of employees, the first priority in setting work hours and schedules is the operational needs of the School District. Once a schedule has been set, the employee will be expected to adhere to it. All variations to these work hours and schedule must be approved in advance by the employee's immediate supervisor.

In case of illness or an emergency that will delay or prevent an employee from reporting to work, an employee should contact his or her primary evaluator by telephone prior to the start of the work day or by a method previously arranged between the employee and his or her primary evaluator. If an employee is prevented from doing so by an emergency, he or she should notify his/her primary evaluator as soon as possible. It is essential that employees notify their primary evaluator of any planned absence with as much advance notice as possible. Employees taking unapproved absence from work, or absences taken using falsehood or deception, or a pattern



of absences suggesting abuse, are subject to disciplinary action, up to and including termination from employment.

During school vacation periods, the Superintendent may establish alternative work hours and schedules for 12-month Employees.

## **ASSIGNMENTS AND TRANSFERS**

The Superintendent will make district-wide assignments and transfers of non-union employees for the efficient operation of the School District, and will do so at his sole discretion and as he deems appropriate. The preferences of effected employees will be taken into consideration when making assignments and transfers; however, the best interest of students and the school system overall, as determined by the Superintendent, will be given priority. Within a specific program, the program director will assign staff members tasks deemed appropriate to their positions and qualifications.

## **COMPENSATION**

In establishing salaries and other monetary benefits for non-union employees, the Superintendent may take into account such things as the responsibilities of the position, qualifications, past experience, years of service, record of performance, comparable positions in other school systems, and budgetary and fiscal considerations.

## **COMPENSATORY TIME**

Compensatory time is time off within a non-exempt employee's regular work schedule that is granted by the employee's supervisor in exchange for time worked outside the parameters of that non-exempt employee's regular work schedule. Employees may bank their compensatory time up to a maximum of 8 hours. The banked compensatory time must be used within 30 days of its accumulation, at times agreed upon by the employee's supervisor. In unusual circumstances, the Superintendent or his designee may approve full compensatory day(s), where the interests of the School District are best served thereby.

## **MEAL BREAKS**

Employees who are scheduled to work at least six hours in a workday are entitled to a 30-minute unpaid lunch break that is not considered time worked for purposes of overtime. Employees taking lunch breaks in a shared area, including a break room or conference room, should take care to clean-up after themselves. Employees may be assigned clean-up responsibilities on a rotating basis.

## **OVERTIME**

Employees who are classified as non-exempt are eligible to receive one and a half times their regular hourly rate for all hours worked that exceed 40 hours in a given work week. Every effort must be made to minimize overtime by scheduling duties during the regular work day. Overtime must be authorized in advance by the Superintendent and will generally only be approved to cover emergency situations. Only actual hours worked will count toward computing weekly overtime amounts. Absences, including but not limited to sick leave, holidays, vacation, personal days, bereavement or jury duty are not considered time worked for purposes of overtime.

## **PAYROLL**

Employees are paid by check or direct deposit bi-weekly. Ten-month non-union employees are paid their wages over the course of 22 pay periods (or in certain years, 21 pay periods). Twelve-month non-union employees are paid over the course of 26 pay periods (or in certain years, 27 pay periods). If a scheduled payday falls on a state-observed holiday, employees will be paid on the day preceding the holiday. All required deductions, such as federal, state, and local taxes, and all authorized deductions, such as medical and dental coverage, will be withheld from employee paychecks. Employees should review their paycheck for errors. If a mistake is found, employees should report it to the Business Office immediately.

Employees may have their paychecks deposited directly into one or more bank accounts through electronic transfer funds. Information on direct deposit is available through the Business Office.

## **PERFORMANCE REVIEWS**

A program of continuous observation and evaluation will be utilized to ensure that all positions are filled with the employees best qualified to carry out the duties of the position, to fill vacancies appropriately, to determine assignments and equitable workloads, and to establish wage and salary policies that encourage employees to put forth their best efforts. The Wayland School District will endeavor to evaluate its employees' performance at least once each year in or around June or July. Employees may also be evaluated at the end of their 90-day introductory period and periodically throughout the year, at the discretion of the Wayland School District.

Evaluations will cover all major areas of the employee's responsibilities and will cover such topics as performance, attitude toward supervisors, fellow employees, teachers, students and all others associated with the school district; attitude toward public education; work habits; technology-related skills; initiative; reliability; communication; strengths and weaknesses; areas where improvement is needed and recommendations for improvement. The evaluation process

may also include self-evaluation and supervisor initiated observations. The formal evaluations will be written and will be discussed by the supervisor and person being evaluated. The discussions may either precede or follow the writing of the evaluation document. Copies of the written document will be signed by both parties, indicating that the evaluation has been read and discussed. A copy will be included in the employee's Personnel File and the employee will receive a signed copy.

Employees should be aware that having a favorable performance review does not necessarily mean that an employee will be given an increase in pay. Merit-based pay adjustments are awarded by the Superintendent in his/her sole discretion. No manager or other employee has the authority to make commitments regarding promotion, salary or other compensation unless approved in writing by the Superintendent.

### **PROBATIONARY PERIOD**

Newly hired non-union employees and current employees promoted to new non-union positions within the School District, will serve an introductory period of 90 calendar days. During this introductory period, the employee's job performance will be assessed. An employee may be released at any time during the introductory period for any reason, including but not limited to performance or attendance-related concerns. Successful completion of the Introductory Period does not guarantee employment for any length of time. Employees are generally employed by the School District on an at-will basis. As such, the School District or the employee may terminate the employment relationship at any time and for any reason not otherwise prohibited by law.

### **PROFESSIONAL DEVELOPMENT**

If a supervisor requires that a non-union employee receive some type of professional development, the school district will either provide the opportunity during normal hours of work or will pay for the professional development. In some instances, the district may require a staff member to pay for the required professional development experience in the first instance, and then reimburse the cost upon presentation of proof of successful completion of the activity and proof of payment.

Non-union employees may request approval to attend conferences that are appropriate for their particular job responsibilities. Such requests will be subject to prior approval of the employee's supervisor, or in some cases, the Superintendent will have authority to approve or deny released time for professional development and reimbursements for expenses, provided such activities are within budget allocations for such purpose.

Non-union employees may apply to receive reimbursement for self-initiated professional development activities, provided the employee articulates how such activity will enhance his or her job-related skills. All such requests must be submitted in writing to the supervisor for

approval and approved by the Superintendent or his or her designee before the start of the activity.

## **PROMOTIONS**

When non-union employee vacancies occur, consideration will be given to qualified applicants from within the School District, provided their qualifications, proven and potential ability, applicable certification, training, experience, performance and other qualities, are appropriate for the position. However, the characteristics of the town and the need for a heterogeneous staff from various cultural backgrounds will be considered and the best-qualified candidate, as determined by the Superintendent, within or outside the School District, will be selected for the position.

### **III. INSURANCE POLICIES AND BENEFITS**

The following insurance benefit descriptions are intended as summaries only and the benefits may be subject to change or termination at the sole discretion of the Wayland School District or elected Town officials. Please consult the specific Insurance Plan Document for more complete and current information. In the case of any conflict, the underlying plan document will govern.

Employees working 20 hours or more per week are eligible for the following benefits, as offered from time to time through group plans approved by the Town of Wayland: health insurance (cost shared between the Town and the employee); basic life insurance (cost shared between the Town and the employee); optional life insurance (cost borne entirely by the employee); dental insurance (cost borne entirely by the employee); long-term disability insurance (cost borne entirely by the employee); and long-term care insurance (cost borne entirely by the employee).

Employees who retire, resign, take an unpaid leave, or otherwise discontinue their status as paid employees must give official notification of their intention to either continue or cancel their health, dental, and/or life insurance. Notification should be directed to the Benefits Manager. Failure to submit notification of intentions relative to insurance status within 30 days of the last date of paid employment will result in the cancellation of all Town payments toward premiums, effective one month from the last date of paid employment. Additional information about insurance plans is available through the Business Office.

#### **CREDIT UNION**

Employees may join Metropolitan Credit Union which provides automatic payroll deposit, savings accounts, payroll deductions, and loans. The local branch is located at 1124 Worcester Road, Framingham, MA 01702-5209. Enrollment is optional. The District has no affiliation with Metropolitan Credit Union.

#### **DENTAL INSURANCE**

Within 30 days of initial hire, or during the open enrollment period, eligible employees may also enroll in the Town's dental insurance program. Participation in this program is not dependent upon participation in the Town's health insurance program. Payment of premiums for group dental insurance is the responsibility of the employee.

#### **HEALTH INSURANCE**

The Town of Wayland offers a variety of health insurance plans at a group rate to its eligible employees. The Town currently pays at least 50% of the health insurance premium, with the Town's contribution varying by plan. Payment of health insurance premiums is made before federal and state income taxes are taken out of employee wages. New employees wishing to

enroll in the Town's health insurance program must do so within 30 days of their initial date of hire or wait until the open enrollment period. During the open enrollment period, employees may enroll or change their health insurance provider, with coverage commencing on July 1. For new employees, health insurance coverage can go into effect on the first day of employment; however, because premium payments are deducted from paychecks a month in advance, double premium payments must be made during the first month of employment. An employee who is covered by one of the Town's health insurance programs and who loses eligibility for group health coverage because of a reduction in hours or termination of employment (for reasons other than gross misconduct) has a right to choose a temporary extension of health insurance coverage, at his/her own expense, under the provisions of the federal COBRA statute. Information about COBRA is available through the Business Office.

### **LONG-TERM CARE INSURANCE**

Eligible employees may purchase long-term care insurance for nursing facility or home health care. Premiums are paid entirely by the employee and are not pre-tax. This plan may be continued after termination of employment with Wayland Public Schools.

### **LONG-TERM DISABILITY INSURANCE**

Employees who work 20 or more hours per week are eligible for long-term disability insurance that is wholly paid for by the employee. Contact the Benefits Manager with any questions concerning this benefit.

### **MEDICAL/DEPENDENT CARE REIMBURSEMENT**

This program permits eligible employees to pay, using pre-tax dollars, for most uninsured medical expenses up to \$2,500 per year and certain dependent care expenses up to \$5,000 for couples filing joint tax returns. Employees can join the program on April 1, the first date of the Plan Year. Certain other rules and conditions apply. Interested employees should contact the Town's Benefits Office for additional information.

### **RETIREMENT SYSTEM**

Non-union employees working at .5 FTEs or more in positions *requiring Massachusetts licensure* must enroll in the Massachusetts Teachers' Retirement System (MTRS) as a condition of employment. Members' contribution rates are determined by their date of enrollment in the retirement system.

Non-union employees who are in positions *not requiring Massachusetts licensure*, who work

more than 17.5 hours per week, are required to enroll in the retirement system mandated by law, as a condition of employment. Members' contribution rates are determined by their date of enrollment in the system.

All other non-union employees are required to participate in the OBRA Deferred Compensation Plan, the Commonwealth of Massachusetts' alternative pension program that is administered by *ING*.

## **SOCIAL SECURITY/MEDICARE**

The Commonwealth of Massachusetts is one of a handful of "non-Social Security" states. This means that state, county, municipal, and public school employees, as members of a contributory retirement system, pay into either a state or county retirement system instead of Social Security. Public sector employees do not earn any Social Security "credits" or "quarters" for retirement contributions or service.

Employees hired after April 1, 1986 have 1.45% of their salary deducted from their biweekly paychecks for Social Security health benefits under the Medicare program.

## **SURVIVOR BENEFIT**

In the event of the death of the employee, payment of his/her salary shall continue to his/her survivor for a period of time equivalent to his/her remaining accumulated sick leave, not to exceed sixty (60) days. For purposes of this provision, the term "survivor" refers to the employee's designated beneficiary or, if none, his/her estate.

## **TAX-DEFERRED ANNUITIES**

Benefits-eligible employees of the Wayland Public Schools may choose to make contributions to one or more tax-deferred programs that are available through certain insurance companies, investment companies, and financial institutions. These companies offer tax-deferred or tax-sheltered annuities, also known as 403(b) plans or 457 plans, to employees in the district. *The district has no affiliation with, or responsibility for, these plans; the district merely provides a payroll deduction service to facilitate entry into these retirement vehicles.* These are personal investment decisions, and employees are urged to investigate options thoroughly before electing to make contributions. Employees must establish an account with the company or institution before initiating payroll deductions. Employees should be advised that IRS regulations governing contributions to plans are subject to change.

## **TERM LIFE INSURANCE**

Eligible employees may enroll in a program to purchase \$10,000 of basic term life insurance. New employees wishing to enroll must do so within 30 days of their initial date of hire. Participating employees may also elect to purchase additional life insurance at low-cost group rates in \$10,000 increments, up to a maximum benefit of \$150,000. An Evidence of Insurability form or a physical exam may be required for policy amounts over \$50,000. If optional life insurance is chosen, employees may also purchase dependent life insurance for spouses (\$5,000 coverage) and/or each dependent child (\$5,000 coverage).

## **UNEMPLOYMENT INSURANCE**

The Wayland School District pays unemployment insurance on behalf of its employees. Employees who become involuntarily unemployed, may apply for benefits through the local unemployment office. Employees who are eligible for unemployment benefits, may receive a percentage of their income for a limited length of time.

## **WORKERS COMPENSATION INSURANCE**

On the job injuries may be covered by our Worker's Compensation Insurance Policy. If an employee is injured on the job, no matter how slightly, he or she must report the incident immediately to his/her supervisor. Failure to report an injury in a timely fashion could jeopardize an employee's right to receive worker's compensation benefits.

We ask for your assistance in alerting the School District to any condition that could lead or contribute to an employee accident or injury.



## IV. LEAVE POLICIES

### BEREAVEMENT LEAVE

Full and regular part-time non-union employees may be granted bereavement leave without loss of pay for up to three days in the case of a death in the employee's immediate family (spouse, domestic partner, child, parent, parent-in-law, grandparent, grandchild or sibling) upon arrangement with the employee's immediate supervisor and subject to the approval of the Superintendent or his designee. In certain circumstances, an employee may be permitted to use accrued time to take additional time off from work.

If bereavement leave falls during a time that an employee is already off work and receiving pay, such as a holiday, vacation or other paid leave period, the employee is not eligible to receive additional pay. A part-time employee will not be entitled to bereavement pay for any day(s) on which that employee was not scheduled to work.

### FAMILY AND MEDICAL LEAVE

- I. Family and Medical Leave: In compliance with the federal Family and Medical Leave Act ("FMLA"), the Wayland School Department will provide eligible employees up to twelve (12) workweeks of unpaid leave in a 12-month period, when leave is necessary for one of the following reasons:
  - The birth of the employee's child and to care for the child (if the leave is taken within 12 months of the birth);
  - The placement of a child with the employee for adoption or foster care (if the leave is taken within 12 months of the placement);
  - To care for a spouse, child or parent with a serious health condition (as defined by the Act); or
  - The employee's own serious health condition that prevents the employee from performing the functions of the position of such employee.
  - Because of any qualifying exigency arising out of the fact that the spouse, child or parent of the employee is on active duty or has been notified of an impending call or order to active duty in the Armed Forces in support of a contingency operation ("Qualifying Exigency").

Servicemember Family Leave ("SFL"): An eligible employee who is the spouse son, daughter, parent or next of kin of a covered servicemember shall be entitled to a total of 26 workweeks of

leave during a 12-month period to care for the servicemember 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.

The 12-month period is measured backward from the date the employee uses any leave under this policy (the "rolling" method). When both spouses work for the Town of Wayland, the total leave in any 12-month period for both spouses will be limited to a combined total of 12 weeks if the leave is taken for the birth or adoption of a child or to care for a parent with a serious health condition, or 26 weeks if for Servicemember Family Leave or a combination of Servicemember Family Leave and other FMLA leave.

- II. Eligibility: To be eligible for coverage under this policy, an employee must: 1) have worked for the Wayland School Department for at least 12 months; and 2) have worked at least 1,250 hours within the 12 calendar months prior to the start date of the leave of absence.

If an employee on leave is salaried and among the highest paid 10% of employees and keeping the job open for the employee would result in substantial and grievous economic injury to the School Department, the employee can be denied job restoration after leave. In this situation, the employee will be given an opportunity to return to work during the leave.

- III. Notice of Leave: Notification for family and medical leave of absence must be submitted to the Superintendent or his designee. If the need for FMLA leave is foreseeable based on an expected birth, placement for adoption or foster care, or planned medical treatment for a serious health condition, an employee must request FMLA with at least 30 days advance notice to the Superintendent. If the need for SFL is foreseeable, the employee shall provide such notice as is reasonable and practicable. If the need for FMLA leave is not foreseeable, the employee should submit a request for FMLA leave of absence as soon as practicable (Generally, this should be within two business days of when the employee becomes aware of the need for leave). All requests shall include the employee's intent to return to work. Approval by the employee's supervisor and the Superintendent of Schools is required. If an employee fails to give 30 days' notice for foreseeable leave with no reasonable excuse for the delay, the Wayland School Department may delay the taking of FMLA leave. When planning medical treatment, the employee must consult with the School Department and make a reasonable effort to schedule the leave so as not to disrupt unduly the School Department's operations, subject to the approval of the health care provider.

- IV. Certification: The Wayland School Department will require medical certification to support a claim for leave for a serious health condition or certification for SFL. The School District may also require that leave being taken for a Qualifying Exigency be supported by proper certification.

Certification forms are available from the Personnel Office. In certain circumstances, the Wayland School Department may require an employee to obtain the opinion of a second health care provider designated and paid for by the Wayland School Department. If the first and second opinions differ, the Wayland School Department may require the

employee to obtain certification from a third health care provider, approved jointly. The third opinion will be final and binding.

Timely Certification Required: The Wayland School Department may delay the taking of or continuation of leave to an employee who fails to provide certification (or recertification) by the date requested. If certification is not submitted by the deadline specified, the Wayland School Department may discontinue payments for its portion of health insurance premiums and in some circumstances, require the payback of any premium portions already paid by the School Department.

Periodic Certification Updates: The Wayland School Department may require subsequent recertifications on a reasonable basis. The Wayland School Department may also request periodic updates on the employee's status and intention to return to work.

Medical Certification to Return to Work: The School Department may require the employee on leave for his or her own serious health condition to submit health care provider certification attesting to the ability of the employee to return to work and perform the essential functions of his/her position, with or without reasonable accommodation. The School Department may delay restoring the employee to employment if such certification is not provided.

- V. Substitution of Paid Leave: The FMLA provides for an unpaid leave of absence. The Wayland School Department requires the use of sick leave in the case of one's own serious health condition *only*. The use of accrued vacation days is required during FMLA and SFL leave. Once such benefits are exhausted, the balance of the leave will be without pay, unless you are eligible for disability benefits. All benefits that operate on an accrual basis (e.g. vacation and sick days) will cease to accrue during the leave period and no employee shall accrue seniority during any period of leave, except as may be required by law.
- VI. Payment of Health Insurance Premiums: During FMLA leave of absence, the Wayland School Department will pay its usual share of group health insurance premiums and the employee will pay his or her usual share. During any portion of the FMLA leave in which the employee is receiving a paycheck, the employee's share will be automatically deducted. During any portion of the FMLA leave that is unpaid, the employee will be required to submit his/her share of the health insurance premium to the Town of Wayland Finance Department at the same time as it would be made if by payroll deduction. Failure to submit payment may result in loss of coverage, or if the School Department maintains the employee's health insurance coverage, it may recover the employee's share of any premium payments missed by the employee.
- VII. Intermittent Leave/Reduced Schedule Leave: Under certain circumstances, when leave is taken for a serious health condition or for SFL, it may be taken intermittently or on a reduced hours basis, if medically necessary as certified by a health care provider. Requests for intermittent or reduced schedule leave shall be submitted to the

employee's supervisor. The request for intermittent or reduced schedule leave shall include a proposed schedule of the dates, times and expected duration of the medical treatment. Leave because of a qualifying exigency related to active duty of a family member may also be taken intermittently or on a reduced leave schedule. An employee requesting intermittent leave or leave on a reduced leave schedule may be assigned to an alternative position for which the employee is qualified that better accommodates the leave requirements.

- VIII. Wayland School Department's Right to Impose FMLA: Whether or not leave has been requested, the School Department may examine any employee's period of absence or incapacity to determine if it qualifies as FMLA leave. The employee will be required to obtain certification. If the illness is determined to be a qualifying condition under the FMLA, the entire or some portion of the period of absence may be retroactively counted as FMLA leave.
- IX. Reinstatement: Eligible employees who return to work within or on the business day following the expiration of the leave will be reinstated to their former position or an equivalent position with equivalent pay, benefits and other terms and conditions of employment. Exceptions to this provision may apply, such as if the employee's position is no longer available due to a job elimination, for key employees, or for employees whose leave extends beyond the total leave entitlement.
- X. Failure to Return to Work:
- (1) In cases where the leave entitlement expires before the employee can return to work as certified by the healthcare provider, appropriate leaves of absence under other provisions of this handbook or applicable law, may be applied, provided the employee submits additional certification from his or her own or family member's health care provider, in writing, prior to the expiration of the FMLA leave, requests such additional leave, and is approved for such leave.
  - (2) Failure to return to work at the end of the FMLA entitlement, except as described in item (1) may result in consequences up to and including dismissal.
  - (3) If an employee does not return to work after expiration of the leave, or does not stay at work for at least 30 days upon return (for reasons other than retirement), the School Department may recover from the employee the cost of any payments made to maintain the employee's health insurance, unless the failure to return is because of a serious health condition which prevents the employee from performing his/her job or for reasons beyond the employee's control.
- XI. Other Leaves: FMLA will run concurrently with all applicable leaves and provisions unless expressly prohibited under federal and state statutes. If the reason for the leave is medical due to an on the job injury for which the employee is entitled to worker's compensation for missed work time, FMLA leave will run concurrently.

Employees may not engage elsewhere in gainful employment while on a leave granted for any of the reasons provided for under the Family and Medical Leave Act. Noncompliance with this restriction will result in termination of employment.

## **HOLIDAYS**

The following days shall be paid holidays for all full-time 12-month non-union employees, when they occur on a regularly scheduled work day:

New Year's Day	Columbus Day
Martin Luther King Day	Veteran's Day
President's Day	Thanksgiving Day
Patriot's Day	Friday after Thanksgiving
Memorial Day	Christmas Eve Day
Independence Day	Christmas Day
Labor Day	

Whenever one of the above holidays occurs on a Saturday or Sunday, the Superintendent may in his sole discretion, grant an additional day off with pay to all eligible employees. This day will typically fall on the day preceding or immediately following the holiday weekend. If a holiday falls during a scheduled vacation, the holiday will not be counted as a vacation day. Holidays that fall during a scheduled unpaid leave of absence will not be paid to the employee. Employees are not entitled to pay in lieu of taking holidays.

## **JURY DUTY LEAVE**

Non-union employees will be given paid leave to serve on a jury. All regular full-time, part-time, temporary and casual non-union employees (whose employment hours may be reasonably determined during the three-month period preceding jury service) will be paid their regular pay during Jury Duty Leave provided that they sign over all jury duty compensation received from the state or federal government to the School District. Pay for non-exempt employees will be calculated on the employee's base pay rate times the number of hours the employee would otherwise have worked on the days of jury service. Jury duty is not considered "hours worked" for purposes of determining overtime.

If called as a juror, employees must notify their supervisor when legal notice is received and provide court certification for the period served. Employees must keep their supervisors informed of the anticipated length of jury duty. Employees are expected to return to work immediately after the case concludes or the court recesses for the day if there is a reasonable amount of time remaining in the work day. The Wayland School District complies with state and federal laws with respect to reinstatement when jury service is completed.

## **LEAVE OF ABSENCE**

Unpaid personal leave may be granted to eligible non-union employees for strong and compelling reasons not provided elsewhere in this handbook, depending upon the circumstances of the request. Such unpaid leaves are granted at the discretion of the Superintendent. The employee's length of service, attendance record and work performance, the likelihood of the employee's continued employment with the School District, the reason for the request, the length of leave needed as well as the effect of the leave on the operations of the School District are some of the factors that will be considered in deciding whether a leave will be granted.

A request for an unpaid leave of absence must be made, in writing, to the Superintendent or his designee, as far in advance of the proposed starting date of the leave as possible. In the event of an emergency, the employee or a family member must notify the Superintendent as soon as practicable and follow-up with a written description of the reason for needing the unpaid leave of absence. Approval is required from the Superintendent.

In the case of a leave of absence for medical reasons, employees must also submit a statement from a health care provider verifying the need for medical leave, its beginning and its expected duration and such other information as the School District may reasonably require. Any changes in this information should be promptly reported to the Superintendent. Employees returning from a leave of absence for medical reasons may be required to submit a statement from a health care provider verifying the employee's fitness to return to work.

Employees must use any accrued vacation days during the leave of absence and use any accrued sick days if the leave of absence is for personal medical reasons. Benefits such as personal days, vacation days, holidays and sick days will not accrue during the leave of absence. Employment benefits accrued by the employee up to the day on which the leave of absence begins will not be lost.

While receiving pay during a portion of the leave, the School Department will continue to make payroll deductions to collect the employee's share of the premium for health benefits. For unpaid portions of the leave, employees must pay their full premium amount, up to 102%, to the Town of Wayland Finance Department for health and dental insurance to continue during a leave of absence under this policy. If employees do not continue these payments, the School Department may discontinue coverage during the leave.

When the leave of absence ends, the School Department will endeavor to return the employee to the same position or to a similar available position for which he or she is qualified. The School Department cannot guarantee reinstatement in all cases. Unless an employee has been granted an extended leave of absence, his or her failure to return to work on the date indicated in the original leave statement will be considered a voluntary resignation.

Employees may not engage elsewhere in gainful employment while on a leave of absence. Noncompliance with this restriction will result in termination of employment.

Depending on the reason for the leave of absence, the School District reserves the right to classify the leave as a Family Medical Leave under the provisions of the Family and Medical

Leave policy. Exceptions to this policy may be made in accordance with applicable state and federal disability law.

## **MATERNITY LEAVE**

Non-union employees who are not eligible for leave under FMLA may be eligible for up to 8 weeks of unpaid maternity leave for:

- (1) the birth of a child;
- (2) the adoption of a child under 18 years old; or
- (3) the adoption of a person under 23 years old who is mentally or physically disabled.

To be eligible for maternity leave under this policy, the following conditions must be met:

- (1) the employee must have worked for the School Department on a regular full-time basis or regular part-time basis for at least 90 consecutive days; and
- (2) the employee must give at least two weeks' notice to the School Department of the expected departure date and state an intention to return to work after the maternity leave.

While on maternity leave under this policy, female employees may use any accrued sick days (where the maternity leave involves a birth) and all employees taking maternity leave may use vacation days to supplement unpaid maternity leave. No sick days or vacation days shall accrue while out on unpaid maternity leave.

The School Department will maintain group medical insurance coverage and any other applicable insurance coverage during a covered Maternity Leave on the same terms as if the employee had continued to work. While receiving pay during a portion of the leave, the School Department will continue to make payroll deductions to collect the employee's share of the premium for health benefits. During any unpaid portion of the leave, the employee will be required to submit her share of the health insurance premium to the Finance Department at the same time as it would be made if by payroll deduction. If the employee does not continue these payments, the School Department may discontinue coverage during the leave.

After the maternity leave, employees will be reinstated to their former or similar position unless the position has been eliminated through a reduction in force. The School Department reserves the right to classify the leave as FMLA which will run concurrent with Maternity leave under this policy.

Exceptions to this policy may be made in accordance with applicable state and federal disability laws.

## **MILITARY SERVICE LEAVE**

Leaves of absence without pay will be granted for military service to eligible non-union employees participating in the uniformed services, including the United States Armed Forces, the Reserves and the National Guard. Military service includes active duty, active and inactive duty training and initial active duty training, funeral honors duty performed by National Guard and Reserves members, and time required for an examination required to determine fitness for duty.

Military leaves of absence will be without pay, except that exempt employees will be compensated at their regular weekly rate for any week in which they are on military leave and perform any work for the School District. Employees may use accrued vacation time toward military leave. Employees called to service must provide their supervisor with advance notice, unless such notice is prevented by military necessity or is impossible or unreasonable. Employees should also submit copies of their military orders as soon as practicable. Leaves of absence for military service must generally not exceed five years, subject to certain exceptions provided by law.

The Wayland School District follows the guidelines set forth in the Uniformed Services Employment and Reemployment Rights Act of 1994 (USERRA) with regard to re-employment of service members. If military leave is less than 30 days, the employee may continue health benefits at his contribution rate. If the leave is longer than 30 days, the employee may continue coverage for up to 18 months at 102% of the full premium. The employee will be treated as though he or she had been continuously employed for purposes of determining benefits based on length of service.

## **PERSONAL DAYS**

A paid Personal Day is a benefit the Wayland School District provides to regular full-time non-union employees for business or family-related occasions that can only be scheduled or conducted during school/work hours and that do not involve the employee's own health care. A "rule of thumb" is that the need for a personal day is ordinarily outside of the control of the individual, e.g. the closing on the sale of a home or an ill child.

To the extent possible, all Personal Days must be approved in advance by the Superintendent or his or her designee. Personal Days may not be used to lengthen a vacation period or weekend. There is no entitlement to any number of Personal Days per year and they cannot be accumulated or carried over from one year to the next. Personal Days will not be paid to employees upon termination of employment for any reason.



## **SICK DAYS**

Paid sick days are a benefit the Wayland School District provides to regular full-time non-union employees when they are unable to work because of a personal illness or injury (including medical appointments). Regular full-time non-union employees accrue one sick day per month, unless other contractual arrangements have been made with the employee.

In the event of an absence from work, an employee should contact his or her primary evaluator by telephone prior to the start of the work day, or by a method previously arranged between the employee and his or her primary evaluator. Employees may be required to provide a physician's note and/or medical documentation to support their absence from work, including but not limited to situations when a sick day extends a holiday or vacation or in the case of excessive absenteeism.

Unless otherwise agreed to by an employee's primary evaluator, an employee must notify his or her primary evaluator *each* day of absence. If an employee is absent from work due to illness or injury for three or more consecutive days without getting approval or without medical authorization, his or her employment may be terminated.

Employees who are absent from work due to illness or injury sustained in the course of employment will be paid in accordance with the provisions of the Massachusetts Worker's Compensation laws. Depending on the reason for the sick leave, the District reserves the right to classify the leave as a Family Medical Leave under the provisions of the Family and Medical Leave policy found elsewhere in this handbook.

No payments will be made for unused sick days at the end of any fiscal year, and accrued but unused sick days will not be paid to employees upon termination of employment for any reason.

## **SMALL NECESSITIES LEAVE**

In accordance with the Small Necessities Leave Act (SNLA), the Wayland School District grants eligible non-union employees a total of 24 hours of unpaid leave during the 12-month period measured backward from the date the employee uses any SNLA leave to:

- 1) participate in school activities directly related to the "educational advancement" of the employee's son or daughter, such as parent-teacher conferences or interviewing for a new school;
- 2) accompany the employee's son or daughter to routine medical or dental appointments such as checkups or vaccinations; or
- 3) accompany an "elderly relative" 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 employee's elderly relative must be at least 60 years old and related by blood or marriage.

SNLA leave may be taken intermittently or on a reduced leave schedule.

In order to qualify to take leave under this policy, non-union employees must have worked at least 1,250 hours during the twelve-month period immediately before the date when the leave commences.

Employees must substitute any accrued vacation days for SNLA leave. If an employee does not have any accrued vacation days, nonexempt employees will be granted unpaid SNLA leave and exempt employees may arrange to make up the time taken for SNLA leave at another time.

#### *Notice Requirement/Certification*

To be entitled to a Small Necessities Leave, employees must provide notice to their supervisor as follows:

- If the need is foreseeable, employees must request the leave not later than 7 days in advance;
- If the need is not foreseeable, employees must notify the District as soon as practicable under the particular circumstances of the individual case.

Employees must provide a signed certification that states the reason for the leave, the date on which the leave will be taken and the duration of the leave. If the need for leave is foreseeable, this certification must be given to the employee's supervisor at the time he or she gives notice of the need for leave or within two business days thereafter. If the need for leave is not foreseeable, the employee may provide the certification within two business days after the leave is taken or as soon as practicable.

To the extent possible, employees must provide written notice to the Wayland School District. If not feasible, employees may request leave orally.

## **VACATION DAYS**

Twelve-month non-administrative employees shall accrue up to one vacation day per month until the July 1<sup>st</sup> following their initial date of hire. After the initial year through the 5<sup>th</sup> year of continuous employment, twelve-month, non-administrative employees shall accrue up to 12 vacation days each year. From the 6<sup>th</sup> year through the 10<sup>th</sup> year of continuous employment, twelve-month non-administrative employees shall accrue up to 17 vacation days each year. From the 11<sup>th</sup> year through the 15<sup>th</sup> year of continuous employment, twelve-month non-administrative employees shall accrue up to 23 vacation days each year. Beginning in the 16<sup>th</sup> year of continuous employment, twelve-month non-administrative employees shall accrue up to 25 vacation days each year.

Twelve-month administrative employees shall accrue up to 25 vacation days each year. The vacation year begins on July 1<sup>st</sup> and ends on June 30<sup>th</sup>. Vacation days must generally be used within 12 months of when they accrue. Upon written request, the Superintendent may approve

the carrying forward of an employee's unused vacation days to the subsequent fiscal year, provided that twelve-month non-administrative employees may not have more than 25 total accrued vacation days, and twelve-month administrative employees may not have more than 50 total accrued vacation days. Administrators who resign for the purpose of retirement may carry over and be paid up to a maximum of 25 unused vacation days. Absent express approval of the superintendent, vacation days may not be carried over from one year to the next and will be forfeited.

All vacation requests must be submitted in writing and approved by the employee's supervisor at least 10 days in advance of the vacation. Vacation requests may be denied based on the needs of the School District and business circumstances. Employees cannot take vacation days in advance of their accrual.