

TOWN OF PLYMOUTH

PERSONNEL CODE

**APPROVED BY THE PLYMOUTH SELECT BOARD
October 15, 2025**

**TOWN OF PLYMOUTH
PERSONNEL CODE**

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The Town of Plymouth provides equal employment opportunities (EEO) to all employees and applicants for employment without regard to race, color, religion, gender, sexual orientation, gender identity or expression, national origin, age, disability, genetic information, marital status, amnesty, status as a covered veteran or any other protected class in accordance with applicable federal, state or local laws. This applies to all terms and conditions of employment, including but not limited to, hiring, placement, promotion, termination, layoff, recall, transfer, leaves of absence, compensation, and training.

SECTION 1. PERSONNEL CODE AUTHORIZATION AND APPLICABILITY:

This Personnel Code is adopted pursuant to, limited to, and in accordance with the authority contained in Chapter 3 of the Town of Plymouth's Charter. The general purpose of this code is to establish an efficient system of public personnel Management, based on merit, fairness, and equity that adapts to the changing social, economic and programmatic needs of Town government.

The personnel code shall apply to employees in service of the Town, excepting elected officials, employees appointed by the School Committee, and those in positions that fall within a collective bargaining unit. To the extent that any provision of an approved collective bargaining agreement conflicts with any provisions of this chapter, with respect to employees covered under such labor agreements, the provisions of the approved collective bargaining agreement shall prevail.

Therefore, it is the intent of this code to provide a means to recruit, select, develop, and maintain a responsive work force. All personnel actions in the Town service shall be made without regard to sex, race, religion, color, age, handicap, political affiliation or other non-job-related factors, and shall be based on merit and fitness. Within this authority the following charges are contained:

- a. Classifying positions in the service of the Town, other than those filled by popular election, those under the jurisdiction of the Board of Retirement, Town Counsel, certain positions for which the compensation is on a fee basis or the incumbents of which render intermittent or casual service; and which do not appear in Schedule A of Section 7 following into groups and classes having substantially equal responsibilities.
- b. Providing equitable and adequate compensation, developing a compensation plan for positions in the classification plan. Providing for the administration of said classification plan.

- c. Training employees, as needed, to assure high quality performance. Correcting inadequate performance, and separating employees whose inadequate performance cannot be corrected;
- d. Establishing certain working conditions and fringe benefits for employees occupying positions in the classification plan.

SECTION 2. DEFINITION OF PERSONNEL CODE TERMS:

As used in this Personnel Code, the following words and phrases shall have the following meanings unless a different construction is clearly required by the context of the laws of the commonwealth:

Words or Phrase	Definition
Administrative Authority	The elected official or board, or the appointed official having jurisdiction over function or activity.
Class	A group of positions in the Town service sufficiently similar in respect to duties and responsibilities so that the same descriptive title may be used to designate each position allocated to the class, that the same qualifications shall be required of the incumbents, that the same tests of fitness may be used to choose qualified employees and that the same scale of compensation can be made to apply with equity.
Classification Plan	A schematic list of employee classifications supported by classification criteria and specifications of job descriptions.
Compensation Grade	Grade is based on the level of the positions, duties, responsibilities and requirements. Each position has an assigned grade as indicated in Sections 7 through 10.
Compensation Plan	The totality of all Wage and Salary schedules as shown in Sections 7 through 10.
Compensation Range	Each position has a compensation range, which is the dollar difference between minimum and maximum rates. If an

Words or Phrase	Definition
	employee covered by Section 7.1 has reached the top of the range, the Town Manager may provide a merit increase for that employee only.
Continuous Employment	Employment uninterrupted except for required military service and for authorized vacation leave, sick leave, bereavement leave, Family Medical Leave or other paid leave of absence.
Department	Any department, board, committee, Commission or other agency of the Town subject to the Personnel Code.
Employee	A person appointed to a position and compensated for their service, not accounting for members of boards, committees, commissions or other agencies of the Town not subject to this code and/or employees in positions covered by Collective Bargaining Agreements.
Full-time Employee	An employee retained in full-time employment.
Full-time Employment	Employment not less than thirty- seven and a half hours per week for fifty-two weeks per annum, minus legal holidays and authorized vacation leave, sick leave, bereavement leave and other authorized paid leave of absence.
Group	An occupational group of classes appearing in Schedule A of Section 7.
Increment	The dollar difference between each step rate in the compensation range.
Intermittent Service	Personal service rendered by an employee in a position calling for part-time employment which service, although constituting continuous employment, is not rendered during prescribed working hours, daily, weekly or annually, but is rendered according to the demands for such service.

Words or Phrase	Definition
Maximum Rate	The highest rate in the compensation range which an employee normally can attain.
Minimum Rate	The lowest rate in the compensation range which is normally the hiring rate of a new employee.
Part-time Employee	An employee retained in part-time employment.
Part-time Employment	Employment for less than full-time employment as defined.
Personal Rate	A rate above the maximum rate of the compensation range applicable only to a designated employee.
Position	An office or position of employment in the Town service with duties and responsibilities calling for full-time or part-time employment of one person in the performance and exercise thereof.
Position Class	Same as 'Class' (a class may include only one position, in which event it is defined as 'single position class')
Promotion	A change from a position of lower class and compensation grade to a position with greater responsibilities in a higher class and compensation grade.
Range	The dollar difference between minimum and maximum rates.
Rate	A sum of money designated as compensation for hourly, weekly, semi-monthly or annual personal services.
Regular Employee	(1) Any employee retained on a regular basis in a classified position as defined. (2) Any employee holding a permanent appointment under Civil Service Law to a position deemed permanent within the meaning of said law.
Temporary Employee	(1) An employee retained in a temporary or seasonal position as defined.

Words or Phrase	Definition
	(2) Any employee holding a temporary appointment under Civil Service Law who does not also have permanent status thereunder.
Temporary Position or Seasonal Position	Any position in the Town service which is FUNDED AND INTENDED to require the services of an incumbent for a period not exceeding six calendar months; a seasonal workweek of its occupational group shall be considered as part-time.
Town	The Town of Plymouth.
Vacation Leave	Number of regular days worked during all calendar weeks including normal days off. Paid leave is to be authorized by Department Head or Town Manager.

SECTION 3. **AUTHORIZATION AND AUTHORITY OF THE TOWN
MANAGER AND THE DEPARTMENT OF HUMAN
RESOURCES**

- (a) The Town Manager's role is defined by the applicable Chapters of the Town of Plymouth Charter.
- (b) The Town Manager shall administer the plans and shall establish such procedures as it deems necessary for the proper administration thereof.
- (c) There shall be a Human Resources Department headed by a Human Resources Director who shall be appointed, and serve at the pleasure of, the Town Manager in the same manner as other appointed department heads in accordance with the Charter.
- (d) The Human Resources Director shall maintain adequate personnel records of all employees occupying positions subject to the classification and compensation plans, said records to be kept in the Human Resources Department. Department heads shall provide such information as the Human Resources Director may request.
- (e) The Human Resources Director shall maintain written job descriptions or

specifications of the classes in the classification plans, each consisting of a statement describing the essential nature of the work and the characteristics that distinguish the class from other classes. The description for any class shall be construed solely as means of identification and not as prescribing what the duties or responsibilities of any position shall be, or as modifying, or in any way affecting the power of any administrative authority, as otherwise existing, to appoint, to assign duties to, or to direct and control the work of any employees under the jurisdiction of such authority.

- (f) Upon recommendation of a department head, supported by evidence in writing by the Human Resources Director, of special reasons and exceptional circumstances satisfactory to the Town Manager, the Town Manager may authorize an entrance rate higher than the minimum rate for a position, and/or such other variance in the compensation plan as it may deem necessary for the proper functioning of the services of the Town. No variance shall become effective unless, or until, the necessary funds have been appropriated therefore.
- (g) The Human Resources Director shall provide applications for a standard employment form to be used by all departments.
- (h) The Human Resources Director shall be the sole depository of all official employment records. All personnel files shall be confidential. Release of individual personnel data or information must be approved by the Human Resources Director or the Town Manager. Each employee may view his/her own file, and the respective Department Heads may view the personnel files of those employees whom they supervise.
- (i) The Human Resources Director shall make an annual report in writing to the Town Clerk to be included in the Town's Annual Report.
- (j) The Human Resources Director shall investigate the standard rates of salaries or wages of any or all positions subject to the provisions of this Personnel Code. Such reviews shall be made at such intervals as the Human Resources Director deems necessary and to the extent which the Human Resources Director considers practical which may include all occupational groups in the classification plan.

SECTION 4. CLASSIFICATION PLAN

- (a) The Human Resources Department will maintain a position classification plan including a written description of each class of positions in the Town service which describes the duties, authority and responsibilities characteristic of positions properly included in the class. No employee may be appointed to a position not included in the classification plan as approved by the Town Manager.
- (b) Whenever a new position is established, or the duties of an existing position are so changed that in effect create a new position, upon presentation of substantiating data satisfactory to the Human Resources Director, the Human Resources Director shall recommend to the Town Manager that the position be allocated to its appropriate class.
- (c) The title of each class, as established by the Classification Plan shall be the official title of every position allocated to the class and the official title of each incumbent of a position so allocated, and shall be used to the exclusion of all others on payrolls, budget estimates and other official records and reports pertaining to the position.
- (d) Requests for reclassification of positions shall be submitted to the Human Resources Department. No position may be reclassified or no class may be assigned to a different compensation grade, until the Town Manager, with the technical assistance of the Human Resources Director, has reviewed such reclassification or such reassignment for consistency with the classification and compensation plans.
- (e) The first six months of employment shall be considered a probationary period. In the event that an employee continues employment beyond the probationary period, he or she shall be entitled to all of the rights and benefits under this Personnel Code retroactive to the first day of employment. An employee's probationary period may be extended for a period of three (3) months.
- (f) The Human Resources Director shall be notified whenever an employee's service with the Town terminates either by retirement or resignation.

SECTION 5. COMPENSATION PLAN

- (a) The Compensation Plan shall consist of hourly wage schedules which provide for minimum and maximum rates for certain positions in the Classification Plan. The Compensation range of a position class shall be the Compensation Range of all positions allocated to the class.

- (b) All employees shall continue to be paid on an hourly, weekly, semi-monthly, annual or other basis, as at present, except as provided in the compensation plan.
- (c) No department head shall determine the salary of any employee in a position so classified except in accordance with the compensation plan.
- (d) No person shall be appointed or employed as an employee in any position subject to the provisions of the classification plan under any title other than those appearing on Schedule A of Section 7 except as provided in Section 4 (b).
- (e) An employee in continuous full-time or part-time employment shall receive the increment between his/her present rate and the next higher step rate as follows:
 - (1) All merit increases for positions in the executive group (section 7.1) will take effect on July 1 after the employee has completed 30 weeks. All step increases for positions in all other groups, will take effect on either July 1 or January 1 whichever falls after the employee has completed 30 weeks. When an employee is promoted, the employee's established step increase date will not change.
 - (2) Employees in continuous part-time employment in a PERMANENT POSITION eligible for increments under the provision of this sub-section shall be those occupying positions in classes for which compensation is provided.
- (f) Any employee occupying a seasonal position shall be paid at the rate of pay specified for that position in the appropriate schedule of Section 7 of the Personnel Code.
- (g) A regular FULL-TIME employee receiving a promotion to a vacant position or to a new position as defined in Section 4 (b) shall, upon assignment resulting from such promotion, receive the salary in the compensation grade of the vacant or new position next above his/her existing salary. If the resulting adjustment does not equal \$1,000 annually or \$.51 per hour, the adjustment shall be to the second rate within the compensation grade of the vacant or new position. With the recommendation of the Human Resources Director, the Town Manager reserves the right to adjust the rate to a higher level.
- (h) If an employee's rate of compensation is in excess of the maximum rate set forth in the appropriate compensation grade for the position, this rate shall not be reduced, but shall become a personal rate applicable only to said employees as

defined in Section 2. Such positions shall be reviewed annually.

- (i) Each department head of a department to which is assigned an employee occupying a position in the classification plan shall include in his/her estimates required by the provisions of Section 59 of Chapter 41 of the General Laws a pay adjustment section setting forth in detail the amounts which will be required for anticipated pay adjustments during the ensuing year and shall furnish a copy thereof to the Human Resources Director.
- (j) A regular full-time employee who temporarily serves for more than 2 consecutive weeks in a position for which the compensation is greater than that of his/her permanent position shall, after such 2 consecutive weeks of temporary service, be compensated at the minimum rate of the higher position, provided that such compensation be at least \$1,000 per year greater than that of his/her permanent position. If necessary, such employee shall be compensated at the next higher rate in order to achieve at least the monetary difference in compensation stated above. The Town Manager reserves the right to adjust the rate to a higher level. Such compensation for temporary service shall be retroactive to date of appointment.
- (k) The adjustments provided for in this section shall be subject to the availability of appropriated funds.
- (l) Wage schedules for employees covered in Sections 7.2, 7.3, 7.4, 7.5, and 7.6 have a Senior Step (top step). To be eligible for the senior step, the employee must have completed five (5) years of service with the Town and they must be at the maximum step of the current wage schedule.
 - 1. Non-Union Police Officers, of any rank or grade, will be entitled to the same specialty stipend as Superior Officers when overseeing such Specialty Positions.
 - 2. Non-Union Police Officers, of any rank or grade, will be entitled to the same Professional Standards Stipend as Superior Officers.
 - 3. Non-Union Fire employees will be entitled to the same EMT stipend, Auxiliary, Education, and Certification stipend as are Firefighters.

SECTION 6. AUTHORITY FOR AMENDING THE PERSONNEL CODE:

- (a) Pursuant to Section 2 of the Charter of the Town of Plymouth, the Select Board has the authority to amend this personnel code.

SECTION 7. SCHEDULE A: CLASSIFICATION OF POSITIONS

The following schedule constitutes the classification plans, compensation plans and the policies relative overtime and compensatory time.

SECTION 7.1

Group: Executive

Department Heads reporting to the Town Manager

Policy: The employee is not entitled to overtime pay or compensatory time off. Salary increases are performance based as determined by the Town Manager.

Titles:

X-1	Police Chief
X-1	Fire Chief
X-1	Assistant Town Manager
X-1	Director of Public Works
X-1	Finance Director
X-2	Director of Planning & Development
X-2	Commissioner of Health & Human Services
X-2	Town Counsel
X-3	Director of Information Technology
X-3	Director of Energy and Environmental Affairs
X-3	Director of Human Resources
X-3	Director of Inspectional Services
X-4	Town Clerk

SECTION 7.2

Group: Executive Management

Policy: The employee is not entitled to overtime pay, and is generally not entitled to take compensatory time off. However, employees requesting compensatory time due to special circumstances, shall seek the approval of their department head in writing and file with the Human Resources Director. Any employee denied compensatory time under this provision, may appeal to the Town Manager if they believe they have been treated inequitably.

Executive Management Titles:

EM-10	Deputy Director of Public Works
EM-10	Assistant Director of Finance
EM-9	Assistant Director of Public Works
EM-7	Assistant Director of Human Resources
EM-7	Assistant Commissioner of Health and Human
EM-7	Assistant Director of Information Technology
EM-7	Deputy Director of Planning and Development
EM-7	Assistant Director of Inspectional Services

SECTION 7.3

Public Safety Management Titles:

PS-1	Deputy Police Chief
PS-2	Deputy Fire Chief
PS-2	Police Captain

SECTION 7.4

Group: Division Management

Policy: The employee is not entitled to overtime pay, and is generally not entitled to take compensatory time off. However, employees requesting compensatory time due to special circumstances, shall seek the approval of their department head in writing and file with the Human Resources Director. Any employee denied compensatory time under this provision, may appeal to the Town Manager if they believe they have been treated inequitably.

Division Management Titles:

DM-6	Airport Manager
DM-6	Director of Assessing
DM-5	Library Director
DM-5	Recreation Director
DM-5	Director of Center for Active Living

SECTION 7.5

Group: Administration and Technical

Policy: The employee is not entitled to overtime pay, and is generally not entitled to take compensatory time off. However, employees requesting compensatory time due to special circumstances, shall seek the approval of their department head in writing and file with the Human Resources Director. Any employee denied compensatory time under this provision, may appeal to the Town Manager if they believe they have been treated inequitably.

Titles:

AT-5	OSHA Safety Officer
AT-5	Climate Resiliency/Sustainability Planner
AT-4	Communications Coordinator
AT-4	Cybersecurity Administrator
AT-4	Public Records and Historic Resources Coordinator
AT-3	Benefits and Leave Administrator
AT-2	Special Assistant to Town Manager
AT-1	Shorebird and Endangered Species Manager

SECTION 7.6

Group: Administrative - Non-Union

Policy: Unless otherwise noted in the table below, non-exempt administrative employees covered by this section are eligible for overtime according to the provisions of the Fair Labor Standards Act. Departmental policies will govern the application of overtime/compensatory time in accordance with these provisions.

Titles:

A-6	Administrative Assistant-Town Manager
A-6	Human Resources Generalist
A-6	Grant Writer
A-6	Crime Analyst (Exempt)
A-6	Licensing and Insurance Assistant
A-6	Executive Assistant – Select Board and Town Manager
A-5	CPC/COPC Coordinator

SECTION 7.7

Group: Miscellaneous Schedule D – Non Union

Policy: Employees will be compensated according to Part-time and Seasonal Schedule.

Building Department Alternates shall be compensated at the minimum rate of compensation for that grade level.

Titles:

P	Animal Inspector
P	Building Department Alternates
S	Caretaker (Less Value of Concession)
P	Center for Active Living Matron
OC	Civilian Traffic Control Officer
P	Election Worker
P	Election Clerk
P/OC	Event Production Assistant Manager at Memorial Hall
P/OC	Event Production Assistant Sound Manager at Memorial
S	Half Day Junior Playground Instructor
S	Harbormaster's Assistant
S	Head Lifeguard
S	Hedges Playground Instructor
S	Hedges Playground Supervisor
S	Information Aide
P	Library Page
S	Lifeguard
S	Lifeguard Coordinator
S	Matron
S	Museum Director

S	Natural Resource Assistant
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S	Beach Parking Attendant
S	Playground Instructor
S	Playground Supervisor
P	Police Matron
S	Recreation Instructor
P	Recreation Supervisor
S	Recreation Supervisor Beaches and Ponds
S	Seasonal Laborer
S	Seasonal Repairman
P	Specialty Sports Instructor
P	Sports Clinic Director
P	Sports Official
S	Summer Sports Clinic Director
S	Warden (Election)
S	Water Safety Instructor
S	Water Safety Program Director
P	Youth Center Attendant

SECTION 8. PART-TIME POSITIONS CLASSIFIED IN TEMPORARY CLERICAL GROUP:

Employees occupying clerical positions in continuous part-time employment shall be compensated at hourly rates appearing under Schedule C. Clerical Salary Schedule.

SECTION 9. PART-TIME POSITIONS IN LIBRARY GROUP:

Employees occupying library positions in continuous part-time employment shall be compensated at hourly rates appearing in Schedule C. Library Salary Schedule.

Library positions in a substitute status shall be compensated at the minimum rate of compensation for that grade level.

SECTION 10. PART-TIME AND SEASONAL POSITIONS AND GRANT FUNDED POSITIONS:

- (a) Employees occupying part-time and/or seasonal positions shall be compensated at the rates set forth in their respective schedules.
- (b) Benefits and compensation for full-time, part-time or seasonal grant funded employees shall be done in accordance with the

specific requirements of the grant agreements that created these positions. In the event that grant agreements are not specific, benefits and compensation for grant funded positions shall be determined by the Human Resources Director on a case-by-case basis.

SECTION 11. DEFINITION OF WORK WEEK:

The following table defines the normal full-time workweek for each occupational group. The figures stand for hours per week unless otherwise noted.

WORK WEEK	OCCUPATIONAL GROUP
As Required	Administrative Group
As Required	Executive Group
As Required	Executive Management Group
As Required	Public Safety Group
As Required	Miscellaneous D Group

“As required” shall mean the total number of hours in the work week needed to perform the duties of the position, as determined by the appropriate administrative authority. In no case shall the work week be less than 37.5 hours, except in the case of those who are employed on a part-time basis. Their schedules shall be determined by the appropriate administrative authority. The actual work week commences at 12:01 A.M. Sunday and ends at 12:00 P.M. Saturday.

SECTION 12. PAID HOLIDAYS:

- (a) The following days shall be recognized as legal holidays within the meaning of this Personnel Code on the day designated by statute of the Commonwealth of Massachusetts:

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

On such days employees shall be excused from all duty not required to maintain essential Town services.

In recognition that the Day after Thanksgiving amounts to 4.5 hours for Town

Hall employees, Town Hall employees shall be entitled to one 3-hour Floating Holiday per fiscal year to be used within 6 months of the Day after Thanksgiving.

*In addition to the above, non-police and non-firefighter employees, covered in Section 7.1, 7.2, 7.4, 7.5, and 7.6 shall be entitled to the workday after Christmas or the workday before or after New Years. Such day should be rotated among employees. The Town will allow these employees to leave at noon on Christmas Eve and pay them for the full day if they are scheduled to work. If for emergency reasons the employee is required to stay by the Department Head, they will be given 4 hours paid time off at a mutually agreed upon day to be used within the 6 months from Christmas Eve.

- (b) Every employee in full-time or continuous part-time employment shall be entitled to these designated holidays on the following terms:
 - (1) If paid on an hourly basis, he shall receive one day's pay at his/her regular rate based on the number of hours regularly worked on the day on which the designated holiday occurs.
 - (2) If paid on a weekly, semi-monthly or annual basis, he shall be granted each designated holiday without loss of pay.
- (c) Payment under the provisions of this section shall be made provided the eligible employee shall have worked on his/her regularly scheduled working day prior to and his/her next regularly scheduled working day following each holiday, or was in full pay status on each preceding and following days in accordance with other provisions of this Personnel Code.
- (d) An employee in continuous employment occupying a position other than in the Public Safety, Executive or Executive Management Groups who performs work on one of the days designated in subsection (a) shall be paid at his/her regular rate for such day or fraction thereof in addition to the amount to which he/she is entitled under sub-section (b).
- (e) At the request of the employee, he/she may be granted compensatory time off at the convenience of the department in lieu of payment provided under sub-section (d).
- (f) An employee in continuous employment, in other than the Police and Fire Departments, who, because of a rotation of shifts, works different days in successive weeks shall be granted in each year in which the number of holidays falling on his/her regular day off is in excess of the number of holidays falling on Saturday, additional days off equal to the excess.
- (g) Non Union Police Officers, of any rank or grade, will be entitled to the

same holiday benefits as Superior Officers.

- (h) Non Union Fire Department Officers, of any rank or grade, will be entitled to the same holiday benefits as Firefighters.

SECTION 13. LONGEVITY PAY:

Employees in continuous service, who have completed the number of years of continuous service set forth below, shall receive longevity payments in accordance with their anniversary of permanent date of hire in which said employee attains that particular level of years of service. The longevity payment shall be paid in pro-rated amounts included in the employees' paycheck every pay period. Eligibility begins with the date of continuous employment. Part-time employees in the non-union group shall receive the longevity benefits listed below on a pro-rated basis. An employee's share of a benefit shall bear the same relationship to the total benefits as the employee's average work-week bears to a full-time work week and shall cease upon termination of employment.

Years of Service	Longevity Pay
5	\$500
10	\$750
15	\$1000
20	\$1500
25	\$2000

SECTION 14. DEFERRED COMPENSATION

The Town of Plymouth will match 15% of a permanent full-time employee's weekly contribution to an approved Town deferred compensation plan. This match is based on the maximum amount an employee can contribute over a 52-week period without exceeding the IRS maximum annual regular contribution. Normal compensation is gross earnings less mandatory retirement contributions.

SECTION 15 EARNED TIME

This section applies to all permanent, full-time, non-bargaining unit employees classified in Section 7.1 – 7.6 of the Personnel Code

1. Eligibility

A new employee will accrue on a weekly basis earned leave time to a maximum of 28 days for non-exempt and 33 days for exempt employees for the first year. He/she shall be eligible to begin using earned time after four (4) months of service to the Town.

- a. EXEMPT EMPLOYEES (7.1, 7.2, 7.3, 7.4, 7.5)

ELIGIBILITY	ANNUAL ACCRUED TIME	MAXIMUM ALLOWABLE DAYS IN LTIA (W/O LTD)	MAXIMUM ALLOWABLE ACCRUED EARNED TIME
Year 1 through 4	33 days	180 (200) days	45
Year 5 through 9	38 days	180 (200) days	45
Year 10	40 days	180 (200) days	45
Year 20	45 days	180 (200) days	45

b. NON-EXEMPT EMPLOYEES (7.6)

ELIGIBILITY	ANNUAL ACCRUED TIME	MAXIMUM ALLOWABLE DAYS IN LTIA (W/O LTD) DAYS	MAXIMUM ACCRUED EARNED TIME
Year 1 through 4	28 days	180 (200) days	45
Year 5 through 9	33 days	180 (200) days	45

Year 10	38 days	180 (200) days	45
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c. Usage

- (1.) Requests for earned leave will be charged to an employee's accrued earned time account except for the following:
 - absences for which employee is not entitled to be paid.
 - at the employee's option, absences due to illness that extend beyond two consecutive workdays
 All such earned leave must be authorized by the Department Head or the Town Manager.
- (2.) No employee may take more than two weeks of leave without the permission of the Town Manager.
- (3.) When an employee's earned time account reaches the maximum of 45 days, additional accrual shall be disposed of, at the employee's election, as follows:
 - a. the employee may request to schedule 5 days off within the next 60 days; or
 - b. the employee may convert 5 days earned time to 8 days in the employee's LTIA.
- (4.) An employee shall not be allowed to work during his/her earned leave and be compensated with extra pay without approval of the Department Head and the Human Resource Director.

2. Long Term Illness Account

Employees will be required to deposit at least ten (10) days per year and each year thereafter to the LTIA until the maximum of 180 days is reached (200 days if Long-Term Disability benefit is not selected). All accruals earned, LTIA, and other if applicable, are accrued and transferred based on a payroll period basis.

These accumulated days may be used at the employee's option when an absence for illness extends beyond two consecutive days. The Town Manager may require a medical examination of an employee who uses more than five days of LTIA before additional leave is authorized for this purpose. Up to 5 LTIA days per year may be used for family illness. The use of LTIA for a family member will be allowed past the five (5) days when in compliance with FMLA or Parental Leave Act.

Payments made under the provisions of this section to any employee who is receiving Worker's Compensation payments shall be limited to the difference between the amount

paid in Worker's Compensation and the employee's regular rate.

In the event of payments made to an employee under the preceding paragraph, the Human Resources Director shall debit the employee's LTIA by such amounts as it is determined to be equitable in relation to such payments.

3. Retirement or Voluntary Separation

A non-union employee upon voluntary separation or retirement, will be compensated at \$30.00/day up to maximum of \$5000.00 for their Long Term Illness Account (LTIA) accrual.

In order to be eligible for this benefit, the employee must have been employed by the Town of Plymouth for ten (10) or more continuous years. Upon the death of an employee, the same benefit will be paid to the employee's estate.

Upon retirement or voluntary separation, an employee will be compensated at his current rate of pay for 100% of his unused accrued earned time. Upon the death of an employee, the same benefit will be paid to the employee's estate.

4. Earned Time and LTIA Buyback Provisions:

- a. Effective July 1, 2024, employees covered in section 7.1 (the Executive Group) may buy back up to fifteen (15) days of earned time at his/her current rate of pay per fiscal year.

Effective July 1, 2024, once per fiscal year, full-time employees covered in Sections 7.2, 7.3, 7.4, 7.5 and 7.6 (the Executive Management, Division Management, Public Safety Management, Administration and Technical, and Administrative groups) may buy back up to 5 days of earned time at their current rate of pay.

- b. On December 1st of each year, any non-union employee who has ninety (90) days of LTIA may buy back up to five (5) days at their current rate of pay and employees with one hundred eighty (180) days of LTIA may buy back up to ten (10) days at their current rate of pay.
- c. Effective July 1, 2024, Under no circumstances, regardless of eligibility, may an employee in group 7.1 (the Executive Group) buy back more than a total of fifteen (15) days of earned time or LTIA per year by combining any of the provisions in Section 15.4.

SECTION 16. BEREAVEMENT LEAVE

Emergency leave up to four days may be allowed for death in an employee's immediate family; wife, husband, domestic partner, mother, father, child, brother, or sister, mother-in-law, father-in-law, grandparents, grandchildren, sister-in-law and brother-in-law, son-in-law or daughter-in-law, step-parent, step-child or step-sibling. Leave up to four days may be allowed for the death of a household member who is not an immediate family member. Leave of one day may be allowed for less than immediate family members. Bereavement leave shall begin with the date of death unless other arrangements are made with the department head.

SECTION 17. MILITARY LEAVE

Members of the military reserves on brief tours of military duty, such as the annual two-week tour of duty, or called to active duty, may be compensated by the Town for difference between the employee's regular pay and that received on military duty unless the military pay is higher than the employee's regular rate of pay.

SECTION 18. OPERATION OF PERSONNEL CODE:

This Personnel Code shall be operative only as to non-union employees whose positions are classified hereunder and for which positions minimum and maximum salaries, or single-rated salaries have been established by the budget process.

The Fire Chief and Police Chief shall be in immediate control of all Town property used by the department, and shall purchase, subject to approval, and keep in repair, all equipment and apparatus used by the Department.

The Fire Chief and Police Chief shall have full and absolute authority in the administration of the Department and shall make all rules and regulations for its operation.

The Fire Chief and Police Chief shall have and exercise all the power and discharge all the duties conferred or imposed by statute.

The Police Chief shall be in immediate control of all police officers whom s/he shall assign to their respective duties.

SECTION 19. PHYSICAL EXAMINATION AND DRUG SCREENING:

Before appointment to a position in the classification plan requiring continuous service, a candidate shall have passed a physical examination and pre-employment drug test, satisfactory to the Human Resources Director or the Town Manager. The examining physician shall be appointed by the Director of Human Resources and the examination shall be at the expense of the Town. The examining physician shall be provided with the relevant job description and shall advise the Director of Human Resources as to whether, in his/her opinion, the applicant is physically qualified to

perform the duties of the position for which an application has been made. The examining physician's report shall be confidential.

SECTION 20. PHYSICAL EXAMINATION-SEASONAL:

Before appointment to a seasonal position all candidates shall present a physician's certificate of good health valid within 12 months as a condition of employment. Such physician's certificate of health to be obtained at no expense to the Town and shall be confidential. The Human Resources Director, in his/her discretion may require a seasonal candidate submit to an examination by a physician appointed by the Human Resources Director as circumstances may dictate.

SECTION 21. JOB POSTINGS:

When a position covered by the Personnel Code becomes vacant, which the Town wishes to fill, notice of such vacancy shall be posted on a public bulletin board in the Town Office Building, listing the pay, duties, and qualifications for the position. This notice of vacancy shall remain posted for seven (7) working days, not including Saturdays, Sundays and holidays. Employees interested shall apply in writing within the seven (7) day period. If the position remains unfilled, the position shall then be advertised in the news media for an amount of time determined by the Human Resources Director. This posting requirement may be waived by the Director of Human Resources.

SECTION 22. PROFESSIONAL DEVELOPMENT:

The Town will provide reimbursement to employees, who have served at least one (1) year with the Town for professional development. The Town will reimburse the employee up to the maximum amount of \$1,000 per fiscal year. All development must be job-related and designed to improve his/her performance in his/her particular department. Approval must be in advance by the Department Head and Appointing Authority. Reimbursement shall be provided on the basis of availability of appropriated funds.

SECTION 23. CAREER EDUCATIONAL INCENTIVE

Non-union Firefighters and Police Officers, of any rank or grade, will be entitled to the same Career Educational Incentive pay as are Firefighters and Police Superior Officers.

Employees who are not otherwise eligible for Career Educational Incentive pay, and included in Section 7.1, who have served at least one (1) year with the Town shall receive an annual payment of \$7,500 for a master's degree in a field related to his/her position.

Employees included in Sections 7.2, 7.4, 7.5, and 7.6 who have served at least one (1) year with the Town shall receive an annual payment of \$3,000 for a bachelor's degree in a field related to his/her position. All such degrees must be received from an accredited institution of higher education. Career Educational Incentives cannot be combined.

SECTION 24. CELL PHONE POLICY

There will be a cell phone reimbursement payment up to \$50 for exempt employees who are required to carry a phone but choose to use their own personal phone rather than a work issued cell phone.

SECTION 25. OVERTIME PROVISION

Any time a non-exempt employee is required to return to work for a regularly scheduled meeting or any other business outside of their normal working hours, he/she shall be paid at the rate of time and one-half (1 ½) for all hours worked on recall with a guaranteed minimum of three (3) hours pay at time and one-half (1 ½) their normal rate. This provision applies only when there has been a break in service and is not recognized when extending a regular workday. Employees may receive an equivalent amount in compensatory time depending on funding availability and approval of supervisor. The supervisor may deny compensatory time and the employee will be paid instead.

SECTION 26. UNIFORM ALLOWANCE

Non-union Firefighters and Police Officers, of any rank or grade, will be entitled to the same Uniform Allowance as are Firefighters and Police Superior Officers.

SECTION 27. DISCIPLINE

- (a) If the Town has reason to reprimand an employee, it shall be done in a manner that will not embarrass the employee in the presence of other employees or the public.
- (b) Discipline for employees subject to Civil Service (Section 7.3) will follow that process.
- (c) An employee, at his/her request, will be allowed to pick one additional Town official and/or have legal representation to be present at any investigatory interview, conference, hearing, or meeting that may reasonably be expected to

result in a negative action against the employee.

- (d) The Town will not suspend or dismiss employee covered by sections 7.2, 7.4, 7.5, and 7.6 without good cause. Without limitation and only for illustrative purposes, good cause shall mean among other things: dishonesty (including dishonest falsifying of time records); insubordination; misconduct; damage or destruction of Town property; absenteeism and/or tardiness; gambling while on duty; poor job performance; violation of Town policies; infraction of reasonable rules or instructions promulgated by the Town; failure to report any accident of which the employee is aware or has knowledge of on the day on which it occurred; refusal to do reasonable work assigned; the use, receipt or obtaining of any benefit of this Personnel Code contrary to the provisions of this Personnel Code; or through any misrepresentation by the employee or any other person in connivance with the employee; or a violation of any State or Federal Statute or Regulation.
- (e) Employees covered by Section 7.1 (Executive Group), may be removed after a hearing in front of the appointing authority. Those positions covered under Section 7.1 that are also subject to Civil Service will instead follow the process outlined by Civil Service. Individuals whose Conditions of Employment are covered under a separate employment contract or agreement will follow the process in said agreement unless said agreement is silent, in which case they will fall under the provisions of the Personnel Code. Section 27 paragraph (d) does not apply to Employees covered by Section 7.1 (Executive Group)

SECTION 28. EFFECT OF PARTIAL INVALIDITY:

The invalidity of any section of Personnel Code shall not invalidate any other section or provision thereof.

SECTION 29. APPROVED STATUS

All employees must be on an approved employment status, at all times, either with or without pay.

Requests for an unpaid leave of absence, along with supporting documentation, shall be submitted in writing to the Department Head. The Department Head shall then

forward the request and all supporting documentation to the Human Resources Department in writing. Decisions regarding a request for an unpaid leave of absence shall be reviewed by the Human Resources Director, after taking into account the recommendation of the Department Head. Approval of the request, along with the duration of leave, will be determined by the HR Director. The decision of the Human Resources Director shall be final and shall not be subject to appeal. Any employee who is absent without being on an approved status will be considered resigned.

There shall be no accrual of benefit time during any unpaid leave of absence. Payments for stipends that are included in the employee's base salary will not be made during any period of unpaid leave.

It is the responsibility of the employee to follow up on their request for unpaid leave of absence, to track their approved unpaid leave of absence, and to return to work when the leave is over.