

TOWN OF CONCORD PERSONNEL BOARD

AGENDA

December 21, 2022

5:15 p.m.

Select Board's Room, Town House & Zoom Video Conference

<https://us02web.zoom.us/j/86311699106?pwd=T2VjK2gxQUtzeWdEWTFqUVcvSXBtQT09>

Dial: 833 548 0282 US Toll-free

Meeting ID: 863 1169 9106

Passcode: 220625

1. Call to Order

2. Minutes

To be considered if available for review:

- 11/30/2022; 12/7/2022; 12/14/2022

3. Miscellaneous Compensation Schedule Updates

Amend in consideration of the new Mass. Minimum Wage & other factors:

- Schedule #7-1 (General) & Schedule #7-2 (Recreation)

4. Preparation of Warrant Articles for 2023

Review drafts & further develop articles:

- Ratify Personnel Board Classification Actions
- Classification & Compensation Plan for Regular-Status Positions
- Employee/Public Comment
- Next Steps

5. Classification & Compensation Study Update

- Progress to date and anticipated timeline for next steps

6. Personnel Board Charge

Considerations in developing recommendations to Select Board:

- Relation of Administrative Code (aka "Charge") to Personnel Bylaw
- Employee/Public Comment
- Next Steps

7. Adjournment

Meeting materials will be available at: <https://concordma.gov/452/Personnel-Board>

Anticipated for distribution before or at the meeting:

- Minutes (as available): 11/30/2022; 12/7/2022; 12/14/2022
- Miscellaneous Compensation Schedules with Proposed 1/1/2023 Amendments
- Draft Warrant Articles – Class & Comp Related
- 1985 Personnel Board Administrative Code (aka "Charge")
- Comparison of 1985 Personnel Board Administrative Code to Personnel Bylaw

Other documents that may be referenced:

- [Personnel Bylaw](#)

Upcoming Meeting & Events

- Personnel Board Meetings (subject to change): 1/4/23, 1/18/23
- Warrant article submission deadline: 1/4/23

TOWN OF CONCORD
Personnel Policy and Procedure #7-1

Miscellaneous Compensation Schedule
for Temporary and Limited-Status Classifications
Date Effective: ~~July 1, 2022~~ DRAFT for 1/1/2023

<u>JOB TITLE BY DEPARTMENT</u>	<u>MINIMUM</u>	<u>MAXIMUM</u>
General		
Intern	\$14.25 <u>\$15.00</u>	\$25.00
Office Clerk	\$14.25 <u>\$15.00</u>	\$32.00
Office Assistant	\$14.25 <u>\$15.75</u>	\$37.00
Recording Secretary	\$15.00 <u>\$15.75</u>	\$35.00
Clerk of Works	\$15.00 <u>\$15.75</u>	\$50.00
Management Specialist/Consultant	\$50.00	\$100.00
Professional Project Specialist	\$15.00 <u>\$20.00</u>	\$75.00
Project Archivist	\$15.00 <u>\$15.75</u>	\$30.00
Project Specialist	\$14.25 <u>\$15.00</u>	\$25.00
IT Program Manager	\$50.00	\$100.00
IT Project Manager	\$30.00	\$75.00
IT Project Specialist	\$30.00	\$75.00
Senior Worker	————	\$14.25 <u>\$15.00</u>
Custodian	\$14.25 <u>\$15.00</u>	\$30.00
Maintenance Custodian	\$16.00 <u>\$20.00</u>	\$35.00
Laborer	\$14.25 <u>\$15.00</u>	\$30.00
Skilled Laborer	\$20.00	\$35.00
Project Painter	\$25.00	\$40.00
Project Electrician	\$30.00	\$50.00
Project Plumber	\$30.00	\$50.00
Construction Specialist	\$30.00	\$60.00
Town Manager's Office		
Veterans' Agent	\$18.00	\$35.00
Senior Services		
Van Driver	\$17.00	\$25.00
Volunteer & Public Relations Coordinator	\$17.00	\$25.00
Finance Department		
Data Lister	\$25.00	\$30.00
Election Officer	\$14.25 <u>\$15.00</u>	\$16.00 <u>\$17.00</u>
Parking Hearing Officer	\$20.00	\$25.00

JOB TITLE BY DEPARTMENT**MINIMUM****MAXIMUM****Fire Department**

Call Firefighter

_____ ~~\$14.25~~ ~~\$15.00~~*

* = plus \$400 per year stipend and

\$100 per year stipend for EMT, FF1, FF2 Certifs.

Library

Librarian

\$22.00

\$32.00

Library Assistant

\$19.75

\$28.89

Library Page

~~\$14.25~~ ~~\$15.00~~

\$16.25

Library Project Specialist

~~\$14.25~~ ~~\$15.00~~

\$32.00

Reference Librarian

\$22.00

\$32.00

Light Department

Telecommunications Specialist

\$25.00

\$100.00

Electrical/Line Specialist

\$25.00

\$100.00

PEG/Minuteman Media

Editor

~~\$15.00~~ ~~\$15.75~~

\$25.00

Studio Aide

~~\$14.25~~ ~~\$15.00~~~~\$16.00~~ ~~\$17.00~~

Videographer

~~\$15.00~~ ~~\$15.75~~

\$25.00

Planning & Land Management

Assistant Local Inspector

\$30.00

\$55.00

Conservation Crew

\$15.00

\$25.00

Electrical Inspector (& Assistant)

\$30.00

\$55.00

Plumbing & Gas Inspector (& Assistant)

\$30.00

\$55.00

Public Health Nurse

\$25.00

~~\$40.00~~ ~~\$50.00~~

Ranger

\$15.00

\$25.00

Sanitary Inspector

\$20.00

\$50.00

Sealer of Weights & Measures

\$20.00

\$45.00

Visitor Center Associate

*May perform any/all of the following functions:**Rate varies based on function(s) performed during shift*

- Ambassador

~~\$15.00~~ ~~\$19.00~~

\$25.00

- Attendant

~~\$14.25~~ ~~\$15.00~~

\$20.00

- Clerk

~~\$14.25~~ ~~\$15.00~~

\$32.00

- Tour Guide

\$20.00

\$30.00

Police Department

Lieutenant/Captain Extra Duty Assignment

- Shift Coverage & Town Detail Rate

\$83.00

- Outside Detail Rate

Same rate paid to Sergeants

Public Safety Dispatcher (Non-Union)

\$30.00

School Crossing Guard

\$30.00 (w/2 hrs min. pay/day)

Special Police Officer

\$30.00 for Police Department assignments;

\$50.00 for Town Details

Outside Details: same rate as paid to regular, full-time police officers

Mutual-Aid Detail Officer/Sergeant

\$50.00

Parking Officer

\$19.00

\$31.00

Traffic Officer

\$20.00

\$50.00

See PPP #7-2 for "Miscellaneous Compensation Schedule – Recreation"**See PPP #7-3 for "Miscellaneous Compensation Schedule – Human Services"**

TOWN OF CONCORD
Personnel Policy and Procedure #7-2

Miscellaneous Compensation Schedule – Recreation
Date Effective: July 1, 2022 DRAFT for 1/1/2023

POSITION TITLE

➤ **Recreation Associate**

Temporary and Limited-Status employees of Recreation Department shall hold the position of "Recreation Associate." Recreation Associates may perform more than one function for the department and may be paid at different rates of pay. The approved function titles and pay ranges are contained in this schedule.

➤ **Swim/Fitness Specialist**

This Miscellaneous Compensation Schedule shall also be used to determine function titles and pay ranges for regular-status employees holding the position of "Swim/Fitness Specialist" in the SF-1 Grade of the Classification and Compensation Plan.

<u>FUNCTION TITLE</u>	<u>MINIMUM</u>	<u>MAXIMUM¹</u>
SWIM & FITNESS - MANAGERIAL		
Beede General Manager	\$79,473	\$101,764
Assistant to the Beede General Manager	\$56,294	\$75,758
Aquatics Director	\$56,294	\$75,758
Beede Program Manager	\$53,809	\$72,649
Beede Marketing & Special Events Coordinator	\$53,809	\$72,649
Membership Coordinator	\$51,878	\$66,147

<u>FUNCTION TITLE</u>	<u>MINIMUM</u>	<u>MAXIMUM²</u>
SWIM & FITNESS - GENERAL		
Waterfront Director	\$21.00	\$35.00
Aquatics Generalist	\$15.00	\$25.00
Head Lifeguard	\$21.00	\$30.00
Lifeguard	\$14.25 \$15.75	\$20.00
Water Safety Instructor	\$17.00	\$25.00
Water Fitness Instructor	\$36.00	\$50.25
Dive Instructor	\$16.50	\$31.50
Private Dive Instructor	\$20.00	\$45.00
Private Swim Instructor	\$20.00	\$30.00
Swim Coach		
Assistant	\$15.50	\$19.50
Head	\$20.00	\$31.00
Group Exercise Instructor	\$46.00	\$75.00*
		* - Max is \$63.04 for S/F Specialist
Fitness Trainer	\$16.00	\$27.00
Private Personal Fitness Trainer	\$35.00	\$50.00

¹ Minimums and Maximums listed are annualized, but salary may be weekly or hourly. The annual rates are controlling when performing calculations and are based on 52.2 weeks at 40 base hours per week; compensation will be prorated for part-time schedules.

SUMMER PROGRAMS

Summer Program Instructor	\$15.75	\$40.00
Summer Program Assistant	\$14.25 <u>\$15.00</u>	\$25.00 <u>\$25.75</u>
Counselor in Training Coordinator	\$14.25 <u>\$15.00</u>	\$25.00 <u>\$25.75</u>
Camp Director	\$25.25	\$45.00
Assistant Camp Director	\$20.00	\$35.00
Summer Health Care Supervisor	\$20.00	\$30.00
Camp Specialist	\$15.75	\$24.25
Lead Counselor	\$15.25 <u>\$16.75</u>	\$17.25 <u>\$18.25</u>
Counselor	\$14.25 <u>\$15.00</u>	\$16.25 <u>\$16.75</u>
Junior Counselor	\$14.25 <u>\$15.00</u>	\$14.25 <u>\$15.00</u>

CHILDCARE PROGRAMS

Lead Teacher	\$20.00 <u>\$22.00</u>	\$30.00
Teacher	\$17.00 <u>\$18.50</u>	\$21.00 <u>\$22.00</u>
Carousel Preschool Substitute	\$16.50	\$20.00
Assistant Teacher	\$14.25 <u>\$15.00</u>	\$17.75 <u>\$18.50</u>
Site Coordinator	\$25.00	\$30.00
Group Leader	\$17.00 <u>\$17.75</u>	\$25.00
Assistant Group Leader	\$14.25 <u>\$15.00</u>	\$17.00 <u>\$17.75</u>

GENERAL RECREATION

Intern	\$14.25 <u>\$15.00</u>	\$17.25 <u>\$18.00</u>
Nurse	\$20.00 <u>\$25.00</u>	\$35.00 <u>\$50.00</u>
Beede Member Service Assistant	\$15.00	\$17.50
Office Clerk	\$14.25 <u>\$15.00</u>	\$22.25
Office Assistant	\$15.00 <u>\$15.75</u>	\$26.50
Inclusion Aide	\$18.00	\$30.00
Private Program Instructor	\$20.00	\$60.00
Program Instructor	\$20.00	\$45.00
Program Assistant	\$14.25 <u>\$15.00</u>	\$17.25 <u>\$18.00</u>
Program Director	\$20.00	\$40.00
Site Supervisor, Level 1	\$15.00	\$18.00
Site Supervisor, Level 2	\$19.00	\$22.00

DRAFT WARRANT ARTICLE

RATIFY PERSONNEL BOARD CLASSIFICATION ACTIONS

ARTICLE __. To determine whether the Town will vote to ratify the Personnel Board's actions to amend the Classification and Compensation Plan as follows, or take any other action relative thereto:

1. Add the title "Environmental Services Coordinator" to Grade MP-3 effective July 1, 2022.
2. Add the title "Chief Technology Officer" to Grade MP-9 effective July 1, 2022.
3. Change the title "Telecommunications Manager" in Grade TM-3 to "Broadband Manager" effective July 1, 2022.
4. Add the title "Communications Manager" to Grade MP-3 effective November 9, 2022.
5. Add the title "Economic Vitality Manager" to Grade MP-4 effective November 9, 2022.
6. Make all other changes to the Classification and Compensation Plan voted by the Personnel Board between January 4, 2023 and the date the 2023 Annual Town Meeting concludes.

The Town Manager has authority to create and modify positions throughout the fiscal year. Titles and salary ranges are determined using the Town's established classification system. Under the Personnel Bylaw, the Personnel Board is authorized to approve temporary changes in the Classification and Compensation Plans, pending ratification of such actions at the next Town Meeting. Actions already taken appear in the Warrant; if additional actions are taken by the Personnel Board after the close of the Warrant, notice will be filed with the Town Clerk and details will be presented at Town Meeting.

CLASSIFICATION & COMPENSATION PLAN FOR REGULAR-STATUS POSITIONS

NOTE: STATUS OF DRAFT WARRANT ARTICLE

A rough draft article was sent to the Moderator at the beginning of December for consideration of possible approaches; it was officially submitted as a “draft” on 12/16/2022. A Class & Comp schedule was not provided with the draft. Options for achieving the following through the Town Meeting process are being explored:

- 1) Provide a base wage adjustment effective 7/1/23
- 2) Implement a NEW Classification & Compensation Plan on 7/1/23
- 3) Allow more time to develop the proposed new Plan
- 4) Provide employees, officials and the public time to review and provide feedback so any final revisions, if needed, can be incorporated

Identified options will be communicated at the 12/21/2022 Personnel Board meeting. The agenda packet will be updated online if related written materials are produced and available before the meeting.

ADMINISTRATIVE CODE
PERSONNEL BOARD

A. Membership

Five members appointed by the Board of Selectmen with staggered three-year terms. The Board elects a chairman and clerk.

B. Duties and Responsibilities

The Personnel Board shall have responsibility for the administration of the Personnel Bylaw (Wage and Salary Classification Plan) of the Town, including the following:

- a) Establish job classifications, minimum and maximum wage brackets, and salary schedules for all regular Town positions for approval by Town Meeting, with the exception of:
 1. jobs under the direction and control of the School Committee, provided that school employees may be included in the Plan as requested by the School Committee; and
 2. positions filled by popular election, provided that the Board shall make recommendations regarding salaries for elective positions prior to the annual Town Meeting as requested by the Selectmen.
- b) Recommend non-wage provisions governing the positions under the Plan for approval by the Town Meeting, including such items as vacations, hours, days, and weeks of work, insurance benefits, leaves of absence, sick leave, military leave, jury duty, worker's compensation, overtime, etc.
- c) Periodically review job descriptions for all positions included in the Plan to ensure they are properly classified.
- d) Review at reasonable intervals job classification rates of pay under the Wage and Salary Classification Plan, taking into account such factors as pay rates for like jobs in Massachusetts towns comparable to Concord, pay rates for like jobs in private industry in the Concord area, and current cost-of-living indexes; and make recommendations as appropriate to the Town Meeting.
- e) Approve new job titles and re-classifications of existing jobs, and establish minimum and maximum wage or salary brackets therefor, to be effective until the time of the next vote of the Town Meeting thereon.
- f) Receive from the Personnel Director a monthly report of all appointments to positions under the Wage and Salary Classification Plan, and establish policies governing the appointment or reassignment of new employees at a starting rate higher than the minimum rate under the Plan.
- g) Establish policies and procedures from time to time as necessary for administration of the Plan.

- h) Receive the appeal of any employee aggrieved by the operation of any provision of the Wage and Salary Classification Plan or aggrieved by any action of the appointing authority, investigate and consider the disputed questions involved, hold private or public hearings as appropriate, render a decision, and take action relative to the dispute as may be authorized under the Plan.
- i) Resolve all questions and disputes relative to interpretation of the provisions of the Plan as may be referred to the Board by employees and officials of the Town.
- j) Provide policy advice to the Town Manager on collective bargaining matters on request.

**Comparison
Personnel Board 1985 Administrative Code to Personnel Bylaw**

Foundational Sources
<p><u>M.G.L., C.41, Section 108A</u> Classification of positions; compensation plans; rules and regulations</p> <p>Section 108A. A ... town by by-law may establish, and from time to time amend, a plan classifying any or all positions, other than those filled by popular election and those under the direction and control of the school committee, into groups and classes doing substantially similar work or having substantially equal responsibilities. Such... town may in like manner ... by vote of the town at a town meeting, establish, and from time to time amend, a plan establishing minimum and maximum salaries to be paid to employees in positions so classified, and such salary plan may provide for the attainment of such maximum salaries by periodical step-rate increases based on length of service. ...</p>
<p><u>MGL, Chapter 40, Section 21A</u> Powers of cities and towns; regulation of working conditions of employees</p> <p>A town by by-law ... may establish the hours, days and weeks of work and the hours, days and weeks of leave without loss of pay, including, without limiting the generality of the foregoing, holiday leave, vacation leave and sick leave, for any or all employees of such town ... other than those appointed by the school committee; provided, that the number of working hours, days or weeks so established shall not exceed, and the number of hours, days or weeks of leave without loss of pay shall not be less than, the number prescribed by any general or special law applicable to such town ... on the first day of January, nineteen hundred and fifty-two.</p>
<p><u>M.G.L, C. 41, Section 108c</u> By-laws pertaining to administration of personnel; consolidation (Establishment and Purpose of a Personnel Board)</p> <p>A town may consolidate, in a single chapter or article, all provisions of its by-laws pertaining to the administration of its personnel, including, ..., the plans established pursuant to section one hundred and eight A of this chapter, and any by-laws adopted pursuant to section twenty-one A of chapter forty, and may provide by by-law for the establishment of a personnel board or other agency for the purpose of administering said [compensation] plans or other provisions of its by-laws pertaining to personnel, determining any questions arising thereunder, and advising the town in any matters pertaining thereto...</p>
<p><u>Town Charter, Section 2, Paragraph B</u></p> <p>The select board shall appoint ... a personnel board, ... The select board may, by majority vote, undertake an investigation of the affairs of any ... board ...appointed by them or by the town manager, and they shall have access to all records and other documents which they may deem necessary or desirable for this purpose. The select board may remove, after such hearing as the select board may deem advisable, any of the ... boards ... appointed by them under the provisions of this paragraph B, or any member thereof...</p>
<p><u>Personnel Bylaw:</u> Per Sec 1, purpose is to establish an equitable and efficient system of personnel administration for Town employees.</p>
<p><u>1985 Personnel Board Administrative Code</u></p> <p>Approved by Select Board when the Town’s Personnel Department was established. It was part of a document that outlined duties of the Board & Personnel Director (Director duties are assigned by Town Manager and have changed, as documented in job descriptions). Most of the Board’s listed duties tie directly to the Personnel Bylaw (per MGL, the Board is established via bylaw). Town Meeting has modified the language in the Bylaw; the Administrative Code was not updated to match. Over the years, some people felt the Administrative Code was no longer needed or valid because the Personnel Bylaw now serves as the Charge, which has been amended several times by Town Meeting. Others said the Code is the Charge and it remains in effect because the Select Board hasn’t changed or rescinded it.</p>

**Comparison
Personnel Board 1985 Administrative Code to Personnel Bylaw**

#	1985 Administrative Code	Personnel Bylaw – Relevant Excerpts	Considerations
1	<p>A. Membership Five members appointed by the Board of Selectmen with staggered three-year terms. The Board elects a chairman and clerk.</p>	<p>Sec 2. Personnel Board This Personnel Bylaw shall be administered by a Personnel Board consisting of five (5) members. Members of the Personnel Board shall be appointed by the Board of Selectmen for three (3) year terms.</p> <p>No member of the Personnel Board may be an employee of the Town nor hold Town office, whether appointed or elected, but any such member may serve on behalf of the Town on any committee negotiating with Town employees.</p> <p>Members of the Personnel Board shall serve without compensation.</p> <p>The Personnel Board shall meet regularly as necessary to consider such business as may be presented by Town officials, Town employees, and others.</p> <p>At any meeting of the Personnel Board, action by a majority of those Board members present shall be binding. At least three (3) members of the Board shall be present in order to constitute a quorum.</p>	<ul style="list-style-type: none"> • Bylaw doesn't specify "staggered terms" • Board of Selectmen → Select Board • chairman → chair • Town Charter, Section 2, Par. B (noted on page 1) • Definition of "meet regularly..."

**Comparison
Personnel Board 1985 Administrative Code to Personnel Bylaw**

	Administrative Code	Personnel Bylaw – Relevant Excerpts	Considerations
2	<p>B. Duties and Responsibilities The Personnel Board shall have responsibility for the administration of the Personnel Bylaw (Wage and Salary Classification Plan) of the Town, including the following:</p>	<p>Sec 2. Personnel Board This Personnel Bylaw shall be administered by a Personnel Board consisting of five (5) members.</p>	<ul style="list-style-type: none"> • Town Charter, Section 9, Par. C: <i>With respect to the wage or salary and classification of employees appointed by the town manager, the town manager shall be governed by the provisions of the "Wage and Salary Classification Plan – Town of Concord, Massachusetts", as the same may be amended from time to time and for so long as the same may remain in force.</i> • Role of Town Manager & Human Resources in administration of the Bylaw/Wage & Salary Classification Plan

**Comparison
Personnel Board 1985 Administrative Code to Personnel Bylaw**

	Administrative Code	Personnel Bylaw – Relevant Excerpts	Considerations
3	a) Establish job classifications, minimum and maximum wage brackets, and salary schedules for all regular Town positions for approval by Town Meeting,	<p><u>Sec 6. Compensation Plan</u> (6.1) A compensation plan shall be maintained for all regular-status Town positions. The Compensation Plan shall consist of minimum, maximum and intermediate wage or salary rates for each title in the Classification Plan, and is hereby incorporated by reference into this bylaw. (6.2) The Personnel Board shall be responsible for preparing and presenting recommended amendments to the Compensation Plan at Town Meeting.</p>	
4	<p>with the exception of:</p> <ul style="list-style-type: none"> • jobs under the direction and control of the School Committee, provided that school employees may be included in the Plan as requested by the School Committee; and • positions filled by popular election, provided that the Board shall make recommendations regarding salaries for elective positions prior to the annual Town Meeting as requested by the Selectmen. 	<p><u>Sec 1. Purpose & Application of Bylaw</u> All Town departments and positions shall be subject to the provisions of this bylaw except</p> <ul style="list-style-type: none"> • elected officers, • employees with personal contracts, • employees covered by a collective bargaining agreement, and <p>employees of the school department.</p>	<ul style="list-style-type: none"> • The 1985 Admin Code is not consistent with MGL, C.41, Sec 108A, in that the law does not include the “provided that...” language • In 1992, Town Meeting amended entire Bylaw; language in the 1985 Admin Code was removed from the Bylaw, consistent with MGL, and exemption of employees with personal contracts was added • In 1997, Town Meeting further amended Sec. 1 to clarify that the Bylaw is not applicable to employees covered by a collective bargaining agreement • Selectmen → Select Board

**Comparison
Personnel Board 1985 Administrative Code to Personnel Bylaw**

	Administrative Code	Personnel Bylaw – Relevant Excerpts	Considerations
5	<p>b) Recommend non-wage provisions governing the positions under the Plan for approval by the Town Meeting, including such items as vacations, hours, days, and weeks of work, insurance benefits, leaves of absence, sick leave, military leave, jury duty, worker's compensation, overtime, etc.</p>	<p>Sec 2. Personnel Board This Personnel Bylaw shall be administered by a Personnel Board ...</p>	<ul style="list-style-type: none"> • MGL, Chapter 40, Section 21A specifies “working conditions” that may be included in a bylaw • In Bylaw, there is no specific reference to who recommends non-wage provisions or amendments • What provisions must be addressed in Bylaw – what can be granted/adopted by other means? • Why are certain federal/state laws (FMLA, military leave) in Bylaw? Many leave provision are impacted by fed and state laws, including quite a few new/amended laws since 1985 (e.g., vacation, FMLA, SNLA). At times, this can make link to Town Meeting/Bylaw challenging
6		<p>Insurance Considerations</p> <ul style="list-style-type: none"> • Insurance benefits aren’t addressed in Bylaw and don’t go to Town Meeting for approval • As the chief executive officer of the Town, and therefore the health insurance authority, the Town Manager establishes the health insurance policies • Insurance benefits for all Town and School employees, including union, are the same • Health insurance is a mandatory subject of collective bargaining • The Town has a representative Insurance Advisory Committee (per MGL, 32B), which consists of union and non-union Town, Concord Public Schools, and Concord Carlisle Regional School employees, and retirees • In 1990, Concord joined Minuteman Nashoba Health Group, a self-insured joint purchase consortium; the Town’s Chief Financial Officer is voting member 	

**Comparison
Personnel Board 1985 Administrative Code to Personnel Bylaw**

	Administrative Code	Personnel Bylaw – Relevant Excerpts	Considerations
7	<p>c) Periodically review job descriptions for all positions included in the Plan to ensure they are properly classified.</p>	<p>Definitions "Classification Plan" - a listing of all approved position classification titles and a summary job description for each classification.</p> <p>Sec 5.1. Definition and Authority A classification plan shall be maintained for all regular-status Town positions. The Classification Plan shall consist of a listing of all approved position classification titles and a summary job description for each classification, both of which are hereby incorporated by reference into this bylaw.</p> <p>Sec 5.2. Job Descriptions The Town Manager or his/her designee(s) shall prepare and maintain summary job descriptions for all position classifications in the Classification Plan. Such descriptions shall consist of a statement describing the essential nature and level of the work performed by employees in that classification; illustrative examples of typical tasks and duties assigned; and the required or desirable qualifications for the classification. (Rev. 4/16) These classification descriptions shall be interpreted as descriptive only and not restrictive. They shall be construed solely as a means of identifying and grouping positions and not as prescribing what the duties or responsibilities of any job shall be.</p> <p>Sec 5.4. Periodic Review of the Classification Plan It shall be a responsibility of the Town Manager to ensure that position classifications and job descriptions are reviewed at reasonable intervals, as he/she deems necessary and as resources are available. (Rev. 4/16)</p>	<ul style="list-style-type: none"> • In 2016, Town Meeting voted to move periodic job description and classification review responsibility to the Town Manager (Sec. 5.2 and 5.4) • 1985 Admin Code is consistent with previous versions of the Bylaw that gave Personnel Board responsibility to maintain a file of job descriptions, and to review position classifications and job descriptions • Job description content supports classification assignment, but the description, in and of itself, does not determine whether position is properly classified; classification of positions requires training and experience in the use of the classification system • Connection of job description to Bylaw makes it difficult to update descriptions as positions evolve within same scope/classification

**Comparison
Personnel Board 1985 Administrative Code to Personnel Bylaw**

	Administrative Code	Personnel Bylaw – Relevant Excerpts	Considerations
8	<p>d) Review at reasonable intervals job classification rates of pay under the Wage and Salary Classification Plan, taking into account such factors as</p> <ul style="list-style-type: none"> • pay rates for like jobs in Massachusetts towns comparable to Concord, • pay rates for like jobs in private industry in the Concord area, and • current cost-of-living indexes; <p>and make recommendations as appropriate to the Town Meeting.</p>	<p>Sec 6.3 Periodic Review of the Compensation Plan It shall be a responsibility of the Personnel Board to review rates of pay at least every three (3) years. Whenever the Personnel Board reviews the Compensation Plan, it shall take into account and give such weight as it may deem appropriate to the following:</p> <ol style="list-style-type: none"> a. Rates of pay for like positions in other Massachusetts towns considered by the Personnel Board to be comparable to Concord. b. Rates of pay for like jobs (if any) in commercial and business establishments in the area of Concord and vicinity. c. The current level of the Consumer Price Index for Urban Wage Earners and Clerical Workers, Boston, Massachusetts. 	<ul style="list-style-type: none"> • Town Meeting, after 1985 Admin Code was written, has amended language in Bylaw regarding the frequency and factors for pay rate review • Rates of pay (salary ranges) have been considered and adjusted annually by Town Meeting • As of 2018, Mass. Equal Pay Act must be considered; labor market and other market forces are no longer valid reasons for variations in pay for comparable work • Meaning and methodology for “review” • Board role vs. Staff role • Use of consultants

**Comparison
Personnel Board 1985 Administrative Code to Personnel Bylaw**

	Administrative Code	Personnel Bylaw – Relevant Excerpts	Considerations
9	<p>e) Approve new job titles and re-classifications of existing jobs, and establish minimum and maximum wage or salary brackets therefore, to be effective until the time of the next vote of the Town Meeting thereon.</p>	<p><u>Sec 5. Classification Plan</u> (5.1) All changes to the list of job titles included in the Classification Plan must be approved by Town Meeting.</p> <p>(5.3) In the event the Personnel Board determines that a new or changed position requires the establishment of a position classification not included in the Classification Plan, it may temporarily authorize the addition of a new title to the Classification Plan, subject to ratification at the next Town Meeting.</p> <p><u>Sec 6. Compensation Plan</u> (6.2) In the event the Personnel Board determines that the establishment of a new position or the reclassification of an existing position requires a change in the compensation plan (e.g., adding or changing a salary range or reallocating an existing classification to a different salary range), it may temporarily authorize the necessary change subject to ratification at the next Town Meeting.</p>	<ul style="list-style-type: none"> • The fact that a title and salary range assignment is temporary until approved by Town Meeting leaves some employees feeling vulnerable

**Comparison
Personnel Board 1985 Administrative Code to Personnel Bylaw**

	Administrative Code	Personnel Bylaw – Relevant Excerpts	Considerations
10	f) Receive from the Personnel Director a monthly report of all appointments to positions under the Wage and Salary Classification Plan, and establish policies governing the appointment or reassignment of new employees at a starting rate higher than the minimum rate under the Plan.	Sec 10.1 Appointment Rates New employees and employees who receive a promotion will be appointed at a base rate of pay within the approved range for the position’s classification; the Town Manager shall determine the starting rate based on his/her consideration of the individual’s qualifications, available funds, market influences, internal equity and any other relevant factors. (Rev. 4/16)	<ul style="list-style-type: none"> • Earlier versions of the Bylaw defined starting pay rates, required Personnel Board approval to exceed the typical appointment rates, and required appointments be reported to the Personnel Board. The 1985 Admin Code delegated that responsibility to the Personnel Director. In 2016, Town Meeting approved a Personnel Bylaw amendment that removed Personnel Board involvement in appointment rates and removed the requirement that the Personnel Board routinely receive reports regarding appointments • Personnel → Human Resources
11	g) Establish policies and procedures from time to time as necessary for administration of the Plan.	Sec 3. Personnel Policies & Procedures The Personnel Board and Town Manager shall adopt and maintain personnel policies and procedures as needed to implement and interpret the provisions of the Personnel Bylaw. (Rev. 4/16)	<ul style="list-style-type: none"> • Until 1992, consistent with the 1985 Admin Code, the Bylaw gave the Personnel Board authority to issue regulations necessary to administer the Bylaw. In 1992, Town Meeting, via a Bylaw amendment, gave the Town Manager joint authority (with Board) for adopting policies and procedures to implement and interpret the Bylaw.

**Comparison
Personnel Board 1985 Administrative Code to Personnel Bylaw**

	Administrative Code	Personnel Bylaw – Relevant Excerpts	Considerations
12	h) Receive the appeal of any employee aggrieved by the operation of any provision of the Wage and Salary Classification Plan or aggrieved by any action of the appointing authority, investigate and consider the disputed questions involved, hold private or public hearings as appropriate,		<ul style="list-style-type: none"> • In 1992, the "Grievance Procedure" was removed from the Bylaw and an Employee Appeal Procedure (PPP#25) was adopted. The policy specifies that the Board makes an advisory opinion, and the Town Manager makes the final and binding decision on appeals.
13	i) Resolve all questions and disputes relative to interpretation of the provisions of the Plan as may be referred to the Board by employees and officials of the Town.	<p>Sec 1. <u>Purpose & Application of Bylaw</u> All questions of doubt or dispute relative to interpretation of this bylaw shall be settled by the Personnel Board.</p>	<ul style="list-style-type: none"> • The Appeal Procedure (PPP#25) specifies that Personnel Board issues an advisory opinion only; this should be reviewed.
14	j) Provide policy advice to the Town Manager on collective bargaining matters on request.	N/A – not related to Wage & Salary Classification Plan (aka Personnel Bylaw)	<ul style="list-style-type: none"> • Earlier versions of the Bylaw contained some details applicable to collective bargaining unit positions, but noted contract provisions prevail over provisions of the Bylaw • In 1997, Town Meeting amended the Bylaw to specifically exclude collective bargaining unit positions from its provisions • Item j of the Admin Code should be listed separately rather than within the list of responsibilities relative to administration of the Bylaw