

**ARTICLE 16**  
**Amend Bylaws: Personnel Bylaw Amendments**  
**Motion**

**Motion A**

Move that the Town vote to amend Article 24, Section 7.1 Holidays of the General Bylaws for the purposes of adding the Juneteenth holiday and adding "Indigenous Peoples Day" to the title of the Columbus Day holiday, so that the amended bylaw reads:

**"7.1 Holidays**

All "Full-Time" and "Regular Part-Time" employees shall be paid for the following holidays, if such employee has been in a regular pay status during the pay period preceding said holiday:

New Year's Day	Labor Day
Martin Luther King Day	Columbus/Indigenous Peoples Day
Washington's Birthday	Veteran's Day
Patriot's Day	Thanksgiving
Memorial Day	Day after Thanksgiving
Juneteenth	Christmas Day
Independence Day	

If the holiday falls on a Saturday, it will be observed on the preceding Friday, and if the holiday falls on a Sunday, it will be observed on the following Monday.

If a holiday listed above falls on a Full-Time or Regular Part-Time employee's approved vacation day, the employee shall receive holiday pay in lieu of being charged vacation time."

**Motion B**

Move that the Town vote to amend Article 24, Section 7.2 Vacations of the General Bylaws for the purposes adjusting the existing vacations policy with regards to how vacation time is accrued and administered, as follows:

**7.2 Vacation sTime**

7.2.1 ~~Vacations~~ Vacation time shall be calculated based upon the fiscal year of the Town and provided at the start of the fiscal year for immediate use. ~~Vacations~~ time shall be accrued based upon the length of service as of the anniversary date of employment of each employee.

7.2.2 ~~Vacations~~ Vacation time will be accrued on the ~~shall be granted on an accrual basis, with the pro-rated vacation awarded on the~~ first day of each month ~~the fiscal year~~, based on the following schedule:

Length of Service	Vacation <u>Time</u>	<u>Accrual Rate</u>
0-5 years	3 weeks	<u>10.0000 hours per month</u>
6-10 years	4 weeks	<u>13.3333 hours per month</u>
11+ years	5 weeks	<u>16.6667 hours per month</u>

If applicable, employees will be awarded increases in vacation time on their anniversary date, prorated for the remainder of the fiscal year, accrued as noted in the schedule above.

Provided, however, that the Town Administrator shall have the discretion at the time of hire of new staff to grant vacation time up to a maximum of five weeks (5), based on the new hire's vacation earnings at his/her most recent position and market conditions affecting the Town's ability to attract qualified personnel.

- 7.2.3 Vacation time for a new employee shall be pro-rated based on the number of full months worked in his/her first fiscal year of employment, provided however that vacation time shall not be taken until after the probation period.
- 7.2.4 Preference as to ~~vacation~~ dates on which vacation time is used is to be determined by seniority of service within Departments and in all cases must be approved by the Department Head (or Town Administrator in the case of Department Head's vacations) who shall authorize such vacation time use when, s at such time in his/her opinion, it will cause the least interference with the performance of the regular work of the Town.
- 7.2.5 ~~Unless otherwise authorized by the Town Administrator through the Director of Human Resources, vacation cannot be carried over from one fiscal year to the next~~ Upon approval by the Town Administrator through the Director of Human Resources, up to one week of vacation time may be carried over from one year to the next.
- 7.2.6 Any full-time employee, not subject to the provisions of Section III and Section III E of Chapter 41 of the General Laws, whose employment is terminated during a year ~~by dismissal through no fault or delinquency on his/her part or by resignation, retirement, or death, without having been granted the vacation to which he/she is entitled, or in the case of death, the estate, shall be paid at the regular rate of compensation payable to the employee at the termination of employment, an amount in lieu of such vacation; provided that no monetary or other allowance has already been made therefor~~ for any reason, shall be paid for vacation time accrued at the time of termination. Any accrued and unused time will be paid to the employee consistent with the requirements of the Massachusetts General Laws. The Head of the Department in which the person was last employed shall enter on the departmental payroll all amounts due and payable under the above paragraph.

So that the amended Bylaw reads:

7.2 **Vacation Time**

7.2.1 Vacation time shall be calculated based upon the fiscal year of the Town and provided at the start of the fiscal year for immediate use. Vacation time shall be accrued based upon the length of service as of the anniversary date of employment of each employee.

7.2.2 Vacation time will be accrued on the first day of the fiscal year, based on the following schedule:

<b>Length of Service</b>	<b>Vacation Time</b>	<b>Accrual Rate</b>
0-5 years	3 weeks	10.0000 hours per month
6-10 years	4 weeks	13.3333 hours per month
11+ years	5 weeks	16.6667 hours per month

If applicable, employees will be awarded increases in vacation time on their anniversary date, prorated for the remainder of the fiscal year, accrued as noted in the schedule above.

Provided, however, that the Town Administrator shall have the discretion at the time of hire of new staff to grant vacation time up to a maximum of five weeks (5), based on the new hire's vacation earnings at his/her most recent position and market conditions affecting the Town's ability to attract qualified personnel.

7.2.3 Vacation time for a new employee shall be pro-rated based on the number of full months worked in his/her first fiscal year of employment, provided however that vacation time shall not be taken until after the probation period.

7.2.4 Preference as to dates on which vacation time is used is to be determined by seniority of service within Departments and in all cases must be approved by the Department Head (or Town Administrator in the case of Department Head's vacations) who shall authorize such vacation time use when, in his/her opinion, it will cause the least interference with the performance of the regular work of the Town.

7.2.5 Upon approval by the Town Administrator through the Director of Human Resources, up to one week of vacation time may be carried over from one year to the next.

7.2.6 Any full-time employee, not subject to the provisions of Section III and Section III E of Chapter 41 of the General Laws, whose employment is terminated during a year for any reason, shall be paid for vacation time accrued at the time of termination. Any accrued and unused time will be paid to the employee consistent with the requirements of the Massachusetts General Laws. The Head of the Department in which the person was last employed shall enter on the departmental payroll all amounts due and payable under the above paragraph.