



**Framingham**  
PUBLIC SCHOOLS  
Embracing differences. Inspiring futures.

# HR POLICIES & PROCEDURES HANDBOOK

ALL STAFF



Office of Human Resources

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## Introduction

We believe that each employee contributes directly to the Framingham Public Schools' growth and success, and we hope you will take pride in being a member of our team.

This handbook was developed to describe some of the expectations of our employees and to outline the policies, programs, and benefits available to eligible employees<sup>1</sup>. Employees should familiarize themselves with the contents of the employee handbook as soon as possible, for it will answer many questions about employment with FPS.

**The handbook is not a contract. In the event that any information contained in this handbook conflicts with federal or state law or negotiated collective bargaining agreements, it is superseded by those documents. This handbook makes no guarantees of employment, compensation, or benefits, and the Superintendent and/or School Committee reserve the right to make changes to the policies and practices at any time at their sole discretion, and interpret and administer the policies in light of changing circumstances and events.**

Framingham Public Schools has a talented and committed workforce that strives to ensure academic success for all children. Thank you for your commitment and tireless efforts on behalf of the students we serve. We hope that your experience here will be challenging, enjoyable, and rewarding. Again, welcome!

Sincerely,



**Inna Kantor London**  
Assistant Superintendent for Human Resources

### Organization Description

We at the Office of Human Resources are dedicated to the diversity, growth and prosperity of the Framingham Public Schools' community. We strive to empower and support our staff to better serve our students and families. Our values are rooted in the belief that each staff member plays a vital role in the success of our students. With that in mind, the Office of Human Resources ("MyHR") works to abide by our core values of *Responsiveness, Commitment, Efficiency and Compassion*. For any questions or concerns, please contact us:

**Framingham Public Schools**  
19 Flagg Drive  
Framingham, MA 01702  
PH: 508-626-9107 FAX: 508-877-4048 | [MyHR@framingham.k12.ma.us](mailto:MyHR@framingham.k12.ma.us)

### Introductory Statement

This handbook is designed to acquaint you with FPS and provide you with information about working conditions, employee benefits, and some of the policies affecting your employment. You should read,

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<sup>1</sup> Many thanks to all of my colleagues from MASPA who have so generously shared their materials with us; portions of this handbook are copied from their materials.



understand, and comply with all provisions of the handbook. It describes many of your responsibilities as an employee and outlines the programs developed by FPS to benefit employees. One of our objectives is to provide a work environment that is conducive to both personal and professional growth.

No employee handbook can anticipate every circumstance or question about policy. As FPS continues to grow, the need may arise and FPS reserves the right to revise, supplement, or rescind any policies or portion of the handbook from time to time as it deems appropriate, in its sole and absolute discretion, and as required by any statute, law, or collective bargaining agreement. The only exception to any changes is our employment-at-will policy permitting you or FPS to end our relationship for any reason at any time. Employees will, of course, be notified of such changes to the handbook as they occur. A complete [Framingham Public Schools School Committee Policies Manual](#) is available on the School Committee website.

**The handbook is not a contract. In the event that any information contained in this handbook conflicts with federal or state law or negotiated collective bargaining agreements, it is superseded by those documents. This handbook makes no guarantees of employment, compensation, or benefits, and the Superintendent and/or School Committee reserve the right to make changes to the policies and practices at any time at their sole discretion, and interpret and administer the policies in light of changing circumstances and events.**

### **Community Relations**

Every employee represents FPS to our students, families, community, and the public. The way we do our jobs presents an image of our entire organization. Each contact with FPS employees is essential to that image. Nothing is more important than being courteous, friendly, helpful, and prompt in the attention you give to students, parents, and each other.

Individuals who wish to lodge specific comments or complaints should be directed to the Assistant Superintendent for Human Resources for appropriate action. Our personal contact with the public, our manners on the telephone, and the communications we send to the public are a reflection not only of ourselves, but also of the professionalism of FPS. Positive community relations not only enhance the public's perception or image of FPS, but also pay off in greater familial and community loyalty.

Another method of communication is through the grievance process as outlined by collective bargaining agreements.

FPS School Committee Policy [File](#): Section K | [COMMUNITY RELATIONS](#)

FPS School Committee Policy [File](#): CCB | [LINE AND STAFF RELATIONS](#)

FPS School Committee Policy [File](#): GBB | [STAFF INVOLVEMENT IN DECISION-MAKING](#)

FPS School Committee Policy [File](#): GBD (Also BHC) | [SCHOOL COMMITTEE - STAFF COMMUNICATIONS](#)

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FPS School Committee Policy [File](#): IJOB | [COMMUNITY RESOURCE PERSONS/ SPEAKERS](#)

## **Employment**

### **102 Employee Relations**

FPS believes that the work conditions, wages, and benefits it offers to its employees are competitive with those offered by other employers in this area and in this industry.

Our experience has shown that when employees deal openly and directly with supervisors, the work environment can be excellent, communications can be clear, and attitudes can be positive. We believe that FPS amply demonstrates its commitment to employees by responding effectively to employee concerns.

As most employees in FPS have already chosen union representation, we affirm our commitment to retaining positive relationships with all existing bargaining units.

FPS School Committee Policy [File](#): HB | [NEGOTIATIONS LEGAL STATUS](#)

FPS School Committee Policy [File](#): HF | [SCHOOL COMMITTEE NEGOTIATING AGENTS](#)

### **103 Equal Employment Opportunity**

In order to provide equal employment and advancement opportunities to all individuals, employment decisions at FPS will be based on merit, qualifications, abilities, and/or contractual obligations.

Framingham Public Schools provides equal employment opportunities (EEO) to all employees and applicants for employment without regard to race, color, religion, sex, national origin, age, disability, genetics, or any other characteristic protected by law. In addition to federal law requirements, Framingham Public Schools complies with applicable state and local laws governing nondiscrimination in employment in every location in which the district has facilities. This policy applies to all terms and conditions of employment, including recruiting, hiring, placement, promotion, termination, layoff, recall, transfer, leaves of absence, compensation and training. Framingham Public Schools expressly prohibits any form of workplace harassment based on race, color, religion, gender, sexual orientation, gender identity or expression, national origin, age, genetic information, disability, veteran status, or any other characteristic protected by law.

FPS will make reasonable accommodations for qualified individuals with known disabilities unless doing so would result in an undue hardship. This policy governs all aspects of employment, including selection, job assignment, compensation, discipline, termination, and access to benefits and training.

In addition to a commitment to provide equal employment opportunities to all qualified individuals, FPS has established an affirmative action program to promote opportunities for individuals in certain protected classes throughout FPS.

Any employees with questions or concerns about any type of discrimination in the workplace are encouraged to bring these issues to the attention of their immediate supervisor or the Assistant Superintendent for Human Resources. Employees can raise concerns and make reports without fear of reprisal. Anyone found to be engaging in any type of unlawful discrimination will be subject to disciplinary action, up to and including termination of employment.

FPS School Committee Policy [File: AC | NONDISCRIMINATION](#)

FPS School Committee Policy [File: ACA | NONDISCRIMINATION ON THE BASIS OF SEX](#)

FPS School Committee Policy [File: ACAB-E | DUTIES AND RESPONSIBILITIES OF THE TITLE IX/EQUITY COORDINATOR](#)

FPS School Committee Policy [File: ACE | NONDISCRIMINATION ON THE BASIS OF HANDICAP](#)

FPS School Committee Policy [File: GBA | EQUAL EMPLOYMENT OPPORTUNITY](#)

### **104 Ethics and Conduct**

The successful operation and reputation of FPS is built upon the principles of fair dealing and ethical conduct of our employees. Our reputation for integrity and excellence requires careful observance of the spirit and letter of all applicable laws and regulations, as well as a scrupulous regard for the highest standards of conduct and personal integrity.

The continued success of FPS is dependent upon our students' and families' trust, and we are dedicated to preserving that trust. Employees owe a duty to FPS, its students and families to act in a way that will merit the continued trust and confidence of the public we serve.

FPS will comply with all applicable laws and regulations and expects its employees to behave in accordance with the letter, spirit, and intent of all relevant laws and to refrain from any illegal, dishonest, or unethical conduct.

In general, the use of good professional judgment will guide you with respect to lines of acceptable conduct. If a situation arises where it is difficult to determine the proper course of action, the matter should be discussed openly with your immediate supervisor and, if necessary, with the Office of Human Resources for advice and consultation.

Compliance with this policy of ethics and conduct is the responsibility of every FPS employee. Disregarding or failing to comply with this standard of ethics and conduct could lead to disciplinary action, up to and including possible termination of employment.

Employees are to comply with all [FPS School Committee policies](#) and [Massachusetts General Laws](#). Violation of policies or laws may result in disciplinary action up to and including termination.

FPS School Committee Policy [File: GBE | STAFF CONDUCT](#)

FPS School Committee Policy [File: GBEB | STAFF CONDUCT](#)

FPS School Committee Policy [File: GA | PERSONNEL POLICIES GOALS](#)

### **105 Hiring of Relatives**

The employment of relatives or individuals involved in a dating relationship in the same area of an organization may cause serious conflicts and problems with favoritism and employee morale. In addition

to claims of partiality in treatment at work, personal conflicts from outside the work environment can be carried over into day-to-day working relationships.

For purposes of this policy, a relative is any person who is related by blood or marriage, or whose relationship with the employee is similar to that of persons who are related by blood or marriage. A dating relationship is defined as a relationship that may be reasonably expected to lead to the formation of a consensual "romantic" or sexual relationship. This policy applies to all employees without regard to the gender or sexual orientation of the individuals involved.

Relatives of current employees may not occupy a position that will be working directly for or supervising their relative. Individuals involved in a dating relationship with a current employee may also not occupy a position that will be working directly for or supervising the employee with whom they are involved in a dating relationship. FPS also reserves the right to take prompt action if an actual or potential conflict of interest arises involving relatives or individuals involved in a dating relationship who occupy positions at any level (higher or lower) in the same line of authority that may affect the review of employment decisions.

If a relative relationship or dating relationship is established after employment between employees who are in a reporting situation described above, it is the responsibility and obligation of the supervisor involved in the relationship to disclose the existence of the relationship to management. The individuals concerned will be given the opportunity to decide who is to be transferred to another available position. If that decision is not made within 30 calendar days, management will decide who is to be transferred or, if necessary, terminated from employment.

In other cases where a conflict or the potential for conflict arises because of the relationship between employees, even if there is no line of authority or reporting involved, the employees may be separated by reassignment or terminated from employment. Employees in a close personal relationship should refrain from public workplace displays of affection or excessive personal conversation.

When an immediate family member, as defined in the Massachusetts Conflict of Interest statute, of a School Committee member or district administrator is to be hired into or promoted within the FPS, the Superintendent shall file public notice with the School Committee at least two weeks prior to executing the hiring in accordance with the law. It is the employee's responsibility to complete the form and submit it to the Superintendent. A copy of the form can be located at <http://www.mass.gov/ethics/disclosure-forms/>.

Any questions regarding a potential conflict of interest should be directed to the Office of Human Resources.

FPS School Committee Policy [File: GBEA | STAFF ETHICS / CONFLICT OF INTEREST](#)

FPS School Committee Policy [File: CCB - STAFF RELATIONS](#)

### **106 Employee Medical Examinations**

To help ensure that employees are able to perform their duties safely, medical examinations may be required.

The Superintendent or designee may require an employee to submit to a physical examination by a physician appointed by the school system whenever that employee's health appears to be a hazard to children or others in the school system or when a doctor's certificate is needed to verify need for sick leave.

Information on an employee's medical condition or history will be kept separate from other employee information and maintained confidentially. Access to this information will be limited to those who have a legitimate need to know.

FPS recognizes that an individual's medical diagnosis is privileged information between the patient and medical professionals. However, whenever a staff member's medical condition is such that it interferes with their ability to perform their duties or there is a risk to the health and safety of others, the district has a responsibility to take necessary steps to evaluate the employee's condition and make appropriate employment decisions.

If the employee has a physical and/or mental health condition, disease or illness which may interfere with their ability to perform their duties or which may pose a significant risk to the health, safety or welfare of the employee or others, FPS may request physical examinations and/or mental health examinations of the employee. The school district shall select a mutually agreeable medical professional to conduct such examination and pay for such examination.

FPS School Committee Policy [File](#): GBGB | [STAFF PERSONAL SECURITY AND SAFETY](#)

### **107 Immigration Law Compliance**

FPS is committed to employing only United States citizens and aliens who are authorized to work in the United States and does not unlawfully discriminate on the basis of citizenship or national origin.

In compliance with the Immigration Reform and Control Act of 1986, each new employee, as a condition of employment, must complete the Employment Eligibility Verification Form I-9 and present documentation establishing identity and employment eligibility. Former employees who are rehired must also complete the form if they have not completed an I-9 with FPS within the past three years, or if their previous I-9 is no longer retained or valid.

Employees with questions or seeking more information on immigration law issues are encouraged to contact the Office of Human Resources. Employees may raise questions or complaints about immigration law compliance without fear of reprisal.

### **108 Conflicts of Interest**

Employees have an obligation to conduct business within guidelines that prohibit actual or potential conflicts of interest. This policy establishes only the framework within which FPS wishes employees to operate. The purpose of these guidelines is to provide general direction so that employees can seek further clarification on issues related to the subject of acceptable standards of operation. Contact the Office of Human Resources for more information or questions about conflicts of interest.

An actual or potential conflict of interest occurs when an employee is in a position to influence a decision that may result in a personal gain for that employee or for a relative as a result of FPS's business dealings. For the purposes of this policy, a relative is any person who is related by blood or marriage, or whose relationship with the employee is similar to that of persons who are related by blood or marriage.

No "presumption of guilt" is created by the mere existence of a relationship with outside firms or parties. However, if employees have any influence on transactions involving purchases, contracts, leases, or other matters, it is imperative that they disclose to a supervisor as soon as possible the existence of any actual or potential conflict of interest so that safeguards can be established to protect all parties.

Personal gain may result not only in cases where an employee or relative has a significant ownership in a firm or business with which FPS does business, but also when an employee or relative receives any kickback, bribe, substantial gift, or special consideration as a result of any transaction or business dealings involving FPS.

All employees must complete Conflict of Interest training, as needed and legally required, within 30 days of being notified to do so. Failure to do so may affect the nature of employment, up to and including the termination of employment.

This summary of the conflict of interest law, General Laws chapter 268A, is intended to help municipal employees understand how that law applies to them. This summary is not a substitute for legal advice, nor does it mention every aspect of the law that may apply in a particular situation. Municipal employees

can obtain free confidential advice about the conflict of interest law from the Commission's Legal Division.

The conflict of interest law seeks to prevent conflicts between private interests and public duties, foster integrity in public service, and promote the public's trust and confidence in that service by placing restrictions on what municipal employees may do on the job, after hours, and after leaving public service, as described below. The sections referenced below are sections of [M.G.L. c. 268A](#).

When the Commission determines that the conflict of interest law has been violated, it can impose a civil penalty of up to \$10,000 (\$25,000 for bribery cases) for each violation. In addition, the Commission can order the violator to repay any economic advantage he gained by the violation, and to make restitution to injured third parties. Violations of the conflict of interest law can also be prosecuted criminally.

### **I. Are you a municipal employee for conflict of interest law purposes?**

You do not have to be a full-time, paid municipal employee to be considered a municipal employee for conflict of interest purposes. Anyone performing services for a city or town or holding a municipal position, whether paid or unpaid, including full- and part-time municipal employees, elected officials, volunteers, and consultants, is a municipal employee under the conflict of interest law. An employee of a private firm can also be a municipal employee, if the private firm has a contract with the city or town and the employee is a "key employee" under the contract, meaning the city has specifically contracted for her services. The law also covers private parties who engage in impermissible dealings with municipal employees, such as offering bribes or illegal gifts. City meeting members and charter commission members are not municipal employees under the conflict of interest law.

### **II. On-the-job restrictions.**

**(a) Bribes.** Asking for and taking bribes is prohibited. (See [Section 2](#)) A bribe is anything of value corruptly received by a municipal employee in exchange for the employee being influenced in his official actions. Giving, offering, receiving, or asking for a bribe is illegal. Bribes are more serious than illegal gifts because they involve corrupt intent. In other words, the municipal employee intends to sell his office by agreeing to do or not do some official act, and the giver intends to influence him to do so. Bribes of any value are illegal.

**(b) Gifts and gratuities.** Asking for or accepting a gift because of your official position, or because of something you can do or have done in your official position, is prohibited. (See [Sections 3, 23\(b\)\(2\), and 26](#)) Municipal employees may not accept gifts and gratuities valued at \$50 or more given to influence their official actions or because of their official position. Accepting a gift intended to reward past official action or to bring about future official action is illegal, as is giving such gifts. Accepting a gift given to you because of the municipal position you hold is also illegal. Meals, entertainment event tickets, golf, gift baskets, and payment of travel expenses can all be illegal gifts if given in connection with official action or position, as can anything worth \$50 or more. A number of smaller gifts together worth \$50 or more may also violate these sections.

**Example of violation:** A city administrator accepts reduced rental payments from developers.

**Example of violation:** A developer offers a ski trip to a school district employee who oversees the developer's work for the school district.

**Regulatory exemptions.** There are situations in which a municipal employee's receipt of a gift does not present a genuine risk of a conflict of interest, and may in fact advance the public interest. The Commission has created exemptions permitting giving and receiving gifts in these situations. One commonly used exemption permits municipal employees to accept payment of travel-related expenses when doing so advances a public purpose. Another commonly used exemption permits municipal employees to accept payment of costs involved in attendance at educational and training programs. Other exemptions are listed on the Commission's website.

**Example where there is no violation:** A fire truck manufacturer offers to pay the travel expenses of a fire chief to a trade show where the chief can examine various kinds of fire-fighting equipment that the

city may purchase. The chief fills out a disclosure form and obtains prior approval from his appointing authority.

**Example where there is no violation:** A city treasurer attends a two-day annual school featuring multiple substantive seminars on issues relevant to treasurers. The annual school is paid for in part by banks that do business with city treasurers. The treasurer is only required to make a disclosure if one of the sponsoring banks has official business before her in the six months before or after the annual school.

**(c) Misuse of position. Using your official position to get something you are not entitled to, or to get someone else something they are not entitled to, is prohibited. Causing someone else to do these things is also prohibited. (See 23(b)(2), and 26)** A municipal employee may not use her official position to get something worth \$50 or more that would not be properly available to other similarly situated individuals. Similarly, a municipal employee may not use her official position to get something worth \$50 or more for someone else that would not be properly available to other similarly situated individuals. Causing someone else to do these things is also prohibited.

**Example of violation:** A full-time city employee writes a novel on work time, using her office computer, and directing her secretary to proofread the draft.

**Example of violation:** A city councilor directs subordinates to drive the councilor's wife to and from the grocery store.

**Example of violation:** A mayor avoids a speeding ticket by asking the police officer who stops him, "Do you know who I am?" and showing his municipal I.D.

**(d) Self-dealing and nepotism. Participating as a municipal employee in a matter in which you, your immediate family, your business organization, or your future employer has a financial interest is prohibited. (See Section 19)** A municipal employee may not participate in any particular matter in which he or a member of his immediate family (parents, children, siblings, spouse, and spouse's parents, children, and siblings) has a financial interest. He also may not participate in any particular matter in which a prospective employer, or a business organization of which he is a director, officer, trustee, or employee has a financial interest. Participation includes discussing as well as voting on a matter, and delegating a matter to someone else. A financial interest may create a conflict of interest whether it is large or small, and positive or negative. In other words, it does not matter if a lot of money is involved or only a little. It also does not matter if you are putting money into your pocket or taking it out. If you, your immediate family, your business, or your employer have or has a financial interest in a matter, you may not participate. The financial interest must be direct and immediate or reasonably foreseeable to create a conflict. Financial interests which are remote, speculative or not sufficiently identifiable do not create conflicts.

**Example of violation:** A school committee member's wife is a teacher in the city's public schools. The school committee member votes on the budget line item for teachers' salaries.

**Example of violation:** A member of a city affordable housing committee is also the director of a non-profit housing development corporation. The non-profit makes an application to the committee, and the member/director participates in the discussion.

**Example:** A planning board member lives next door to property where a developer plans to construct a new building. Because the planning board member owns abutting property, he is presumed to have a financial interest in the matter. He cannot participate unless he provides the State Ethics Commission with an opinion from a qualified independent appraiser that the new construction will not affect his financial interest.

In many cases, where not otherwise required to participate, a municipal employee may comply with the law by simply not participating in the particular matter in which she has a financial interest. She need not give a reason for not participating. There are several exemptions to this section of the law. An appointed municipal employee may file a written disclosure about the financial interest with his appointing authority, and seek permission to participate notwithstanding the conflict. The appointing authority may grant written permission if she determines that the financial interest in question is not so

substantial that it is likely to affect the integrity of his services to the municipality. Participating without disclosing the financial interest is a violation. Elected employees cannot use the disclosure procedure because they have no appointing authority.

**Example where there is no violation:** An appointed member of the city zoning advisory committee, which will review and recommend changes to the city's by-laws with regard to a commercial district, is a partner at a company that owns commercial property in the district. Prior to participating in any committee discussions, the member files a disclosure with the zoning board of appeals that appointed him to his position, and that board gives him a written determination authorizing his participation, despite his company's financial interest. There is no violation.

There is also an exemption for both appointed and elected employees where the employee's task is to address a matter of general policy and the employee's financial interest is shared with a substantial portion (generally 10% or more) of the city's population, such as, for instance, a financial interest in real estate tax rates or municipal utility rates.

**Regulatory exemptions.** In addition to the statutory exemptions just mentioned, the Commission has created several regulatory exemptions permitting municipal employees to participate in particular matters notwithstanding the presence of a financial interest in certain very specific situations when permitting them to do so advances a public purpose. There is an exemption permitting school committee members to participate in setting school fees that will affect their own children if they make a prior written disclosure. There is an exemption permitting city clerks to perform election-related functions even when they, or their immediate family members, are on the ballot, because clerks' election-related functions are extensively regulated by other laws. There is also an exemption permitting a person serving as a member of a municipal board pursuant to a legal requirement that the board have members with a specified affiliation to participate fully in determinations of general policy by the board, even if the entity with which he is affiliated has a financial interest in the matter. Other exemptions are listed in the Commission's regulations, available on the Commission's website.

**Example where there is no violation:** A municipal Shellfish Advisory Board has been created to provide advice to the Board of Selectmen on policy issues related to shellfishing. The Advisory Board is required to have members who are currently commercial fishermen. A board member who is a commercial fisherman may participate in determinations of general policy in which he has a financial interest common to all commercial fishermen, but may not participate in determinations in which he alone has a financial interest, such as the extension of his own individual permits or leases.

**(e) False claims. Presenting a false claim to your employer for a payment or benefit is prohibited, and causing someone else to do so is also prohibited. (See 23(b)(4), and 26)** A municipal employee may not present a false or fraudulent claim to his employer for any payment or benefit worth \$50 or more, or cause another person to do so.

**Example of violation:** A public works director directs his secretary to fill out timesheets to show him as present at work on days when he was skiing.

**(f) Appearance of conflict. Acting in a manner that would make a reasonable person think you can be improperly influenced is prohibited. (See 23(b)(3))** A municipal employee may not act in a manner that would cause a reasonable person to think that she would show favor toward someone or that she can be improperly influenced. Section 23(b)(3) requires a municipal employee to consider whether her relationships and affiliations could prevent her from acting fairly and objectively when she performs her duties for a city or town. If she cannot be fair and objective because of a relationship or affiliation, she should not perform her duties. However, a municipal employee, whether elected or appointed, can avoid violating this provision by making a public disclosure of the facts. An appointed employee must make the disclosure in writing to his appointing official.

**Example where there is no violation:** A developer who is the cousin of the chair of the conservation commission has filed an application with the commission. A reasonable person could conclude that the chair might favor her cousin. The chair files a written disclosure with her appointing authority explaining



her relationship with her cousin prior to the meeting at which the application will be considered. There is no violation of Sec. 23(b)(3).

**(g) Confidential information. Improperly disclosing or personally using confidential information obtained through your job is prohibited. (See 23(c))** Municipal employees may not improperly disclose confidential information, or make personal use of non-public information they acquired in the course of their official duties to further their personal interests.

### III. After-hours restrictions.

**(a) Taking a second paid job that conflicts with the duties of your municipal job is prohibited. (See Section 23(b)(1))** A municipal employee may not accept other paid employment if the responsibilities of the second job are incompatible with his or her municipal job.

**Example:** A police officer may not work as a paid private security guard in the city where he serves because the demands of his private employment would conflict with his duties as a police officer.

**(b) Divided loyalties. Receiving pay from anyone other than the city or town to work on a matter involving the city or town is prohibited. Acting as agent or attorney for anyone other than the city or town in a matter involving the city or town is also prohibited whether or not you are paid. (See Sec. 17)** Because cities and towns are entitled to the undivided loyalty of their employees, a municipal employee may not be paid by other people and organizations in relation to a matter if the city or town has an interest in the matter. In addition, a municipal employee may not act on behalf of other people and organizations or act as an attorney for other people and organizations in which the city has an interest. Acting as agent includes contacting the municipality in person, by phone, or in writing; acting as a liaison; providing documents to the city or town; and serving as spokesman. A municipal employee may always represent his own personal interests, even before his own municipal agency or board, on the same terms and conditions that other similarly situated members of the public would be allowed to do so. A municipal employee may also apply for building and related permits on behalf of someone else and be paid for doing so, unless he works for the permitting agency, or an agency which regulates the permitting agency.

**Example of violation:** A full-time health agent submits a septic system plan that she has prepared for a private client to the city's board of health.

**Example of violation:** A planning board member represents a private client before the board of selectmen on a request that city meeting consider rezoning the client's property.

While many municipal employees earn their livelihood in municipal jobs, some municipal employees volunteer their time to provide services to the city or receive small stipends. Others, such as a private attorney who provides legal services to a city as needed, may serve in a position in which they may have other personal or private employment during normal working hours. In recognition of the need not to unduly restrict the ability of city volunteers and part-time employees to earn a living, the law is less restrictive for "special" municipal employees than for other municipal employees. The status of "special" municipal employee has to be assigned to a municipal position by vote of the board of selectmen, city council, or similar body. A position is eligible to be designated as "special" if it is unpaid, or if it is part-time and the employee is allowed to have another job during normal working hours, or if the employee was not paid for working more than 800 hours during the preceding 365 days. It is the position that is designated as "special" and not the person or persons holding the position. Selectmen in cities of 10,000 or fewer are automatically "special"; selectmen in larger cities cannot be "specials." If a municipal position has been designated as "special," an employee holding that position may be paid by others, act on behalf of others, and act as attorney for others with respect to matters before municipal boards other than his own, provided that he has not officially participated in the matter, and the matter is not now, and has not within the past year been, under his official responsibility.

**Example:** A school committee member who has been designated as a special municipal employee appears before the board of health on behalf of a client of his private law practice, on a matter that he has not participated in or had responsibility for as a school committee member. There is no conflict. However, he may not appear before the school committee, or the school department, on behalf of a

client because he has official responsibility for any matter that comes before the school committee. This is still the case even if he has recused himself from participating in the matter in his official capacity.

**Example:** A member who sits as an alternate on the conservation commission is a special municipal employee. Under city by-laws, he only has official responsibility for matters assigned to him. He may represent a resident who wants to file an application with the conservation commission as long as the matter is not assigned to him and he will not participate in it.

**(c) Inside track. Being paid by your city or town, directly or indirectly, under some second arrangement in addition to your job is prohibited, unless an exemption applies. (See Section 20)** A municipal employee generally may not have a financial interest in a municipal contract, including a second municipal job. A municipal employee is also generally prohibited from having an indirect financial interest in a contract that the city or town has with someone else. This provision is intended to prevent municipal employees from having an "inside track" to further financial opportunities.

**Example of violation:** Legal counsel to the city housing authority becomes the acting executive director of the authority, and is paid in both positions.

**Example of violation:** A selectman buys a surplus truck from the city DPW.

**Example of violation:** A full-time secretary for the board of health wants to have a second paid job working part-time for the city library. She will violate Section 20 unless she can meet the requirements of an exemption.

**Example of violation:** A city councilor wants to work for a non-profit that receives funding under a contract with her city. Unless she can satisfy the requirements of an exemption under Section 20, she cannot take the job.

There are numerous exemptions. A municipal employee may hold multiple unpaid or elected positions. Some exemptions apply only to special municipal employees. Specific exemptions may cover serving as an unpaid volunteer in a second city position, housing-related benefits, public safety positions, certain elected positions, small cities, and other specific situations. Please call the Ethics Commission's Legal Division for advice about a specific situation.

#### **IV. After you leave municipal employment. (See Section 18)**

**(a) Forever ban. After you leave your municipal job, you may never work for anyone other than the municipality on a matter that you worked on as a municipal employee.** If you participated in a matter as a municipal employee, you cannot ever be paid to work on that same matter for anyone other than the municipality, nor may you act for someone else, whether paid or not. The purpose of this restriction is to bar former employees from selling to private interests their familiarity with the facts of particular matters that are of continuing concern to their former municipal employer. The restriction does not prohibit former municipal employees from using the expertise acquired in government service in their subsequent private activities.

**Example of violation:** A former school department employee works for a contractor under a contract that she helped to draft and oversee for the school department.

**(b) One year cooling-off period. For one year after you leave your municipal job you may not participate in any matter over which you had official responsibility during your last two years of public service.** Former municipal employees are barred for one year after they leave municipal employment from personally appearing before any agency of the municipality in connection with matters that were under their authority in their prior municipal positions during the two years before they left.

**Example:** An assistant city manager negotiates a three-year contract with a company. The city manager who supervised the assistant, and had official responsibility for the contract but did not participate in negotiating it, leaves her job to work for the company to which the contract was awarded. The former manager may not call or write the city in connection with the company's work on the contract for one year after leaving the city.

A former municipal employee who participated as such in general legislation on expanded gaming and related matters may not become an officer or employee of, or acquire a financial interest in, an applicant for a gaming license, or a gaming licensee, for one year after his public employment ceases.

**(c) Partners. Your partners will be subject to restrictions while you serve as a municipal employee and after your municipal service ends.** Partners of municipal employees and former municipal employees are also subject to restrictions under the conflict of interest law. If a municipal employee participates in a matter, or if he has official responsibility for a matter, then his partner may not act on behalf of anyone other than the municipality or provide services as an attorney to anyone but the city or town in relation to the matter.

**Example:** While serving on a city's historic district commission, an architect reviewed an application to get landmark status for a building. His partners at his architecture firm may not prepare and sign plans for the owner of the building or otherwise act on the owner's behalf in relation to the application for landmark status. In addition, because the architect has official responsibility as a commissioner for every matter that comes before the commission, his partners may not communicate with the commission or otherwise act on behalf of any client on any matter that comes before the commission during the time that the architect serves on the commission.

**Example:** A former city counsel joins a law firm as a partner. Because she litigated a lawsuit for the city, her new partners cannot represent any private clients in the lawsuit for one year after her job with the city ended.

This summary is not intended to be legal advice and, because it is a summary, it does not mention every provision of the conflict law that may apply in a particular situation. The website <http://www.mass.gov/ethics> contains further information about how the law applies in many situations. You can also contact the Commission's Legal Division via our website, by telephone, or by letter.

FPS School Committee Policy [File](#): GBEA | [STAFF ETHICS / CONFLICT OF INTEREST](#)

## **110 Outside Employment**

Employees may hold outside jobs as long as they meet the performance standards of their job with FPS. All employees will be judged by the same performance standards and will be subject to FPS's scheduling demands, regardless of any existing outside work requirements.

Outside employment that constitutes a conflict of interest is prohibited. Employees may not receive any income or material gain from individuals outside FPS for materials produced or services rendered while performing their jobs.

### **Tutoring:**

The conflict of interest law places some restrictions on teachers tutoring students in their own districts, but does not forbid it. The following are the types of situations that may violate the law, as explained further below:

- A teacher recommends that one of her own students receive private tutoring, and then is paid to do the tutoring.
- A teacher privately tutors her current students.
- A teacher conducts a private tutoring business after hours in his public school classroom.
- A teacher is paid by her own district in a second job to provide tutoring.
- A teacher is paid to provide services that the district has found to be necessary for a child, for instance under an IEP.
- A teacher tells one of his students that he is available for private instruction over the summer.

*Providing Tutoring You Recommended:* A teacher cannot recommend that one of his or her own students get tutoring, and then be paid to tutor that same student in a second job. This would be a conflict of interest, because the teacher has a financial interest in providing those services. This restriction is imposed by § 19 (school district teachers).

*Privately Tutoring Current Students:* A teacher may not tutor students who are currently in her class. Even if the teacher does not recommend that her current student receive private tutoring, the teacher should not tutor her current students as this raises issues under § 23(b)(3), the appearance of a conflict section, § 23(b)(2), the use of position section, and § 19, the financial interest section.

*Using School Resources for Private Tutoring:* A teacher cannot use his position to get unwarranted privileges for himself or to give them to anyone else. This restriction is imposed by § 23(b)(2). For example, a teacher cannot use school resources such as classrooms or materials in connection with a private tutoring business. A public school employee cannot use a school or district website to advertise private tutoring services. A school cannot send home brochures for a particular tutoring service with the children. The only exception to this is that a district may, if it chooses, create a policy permitting the use of its resources in specified circumstances by anyone (teachers or non-teachers) who meets its objective and reasonable criteria. For example, a district could create a policy under which it will list on its website any provider of private tutoring services that meets stated criteria. Any such listing, however, should include a disclaimer that the district is not endorsing any private tutoring service.

*Tutoring Paid for by the District:* Apart from their primary employment (which is viewed as a contract for conflict of interest purposes), teachers and other public employees are not allowed to have a financial interest in a contract with an agency at their same level of government, unless an exemption applies. This means that a teacher cannot have a second paid position with her school district or her charter school unless there is an applicable exemption, because the second paid position is a financial interest in a municipal or state contract. This restriction is imposed by § 20 (school district teachers). These sections make it impossible for full-time teachers to tutor in their own district if the district is going to pay for the tutoring. A district that wishes to be able to pay its teachers directly to perform tutoring must include a provision in the teachers' collective bargaining agreement providing a set amount of extra pay for tutoring by teachers that will be included in the teachers' regular paychecks. This solves the problem because then teachers only have a financial interest in one contract (that is, their primary employment, which is governed by the collective bargaining agreement). This part of the law applies less restrictively to some part-time employees.

*Tutoring Required by District:* Teachers and other public employees may not be paid by or act for others in matters that are of direct and substantial interest to their public employers. Where a district has determined that a particular child needs tutoring, that is a matter of direct and substantial interest to the district. Consequently, a teacher who works for the district cannot be paid privately to provide that tutoring. For example, if tutoring is required as part of an IEP, a teacher in the district may not accept payment from the student's family to provide that tutoring. The teacher is likewise prohibited from communicating with his own school or district on behalf of a private tutoring program. This restriction is imposed by §§ 4 and 17. These provisions apply less restrictively to some part-time employees. A district paying its own teachers directly to provide tutoring pursuant to a collective bargaining agreement by including tutoring-related compensation in their regular paychecks does not create a problem under this section, because the employees are not being paid by someone other than their employer.

*Approaching Students or Parents for Work:* Teachers and other public employees may not initiate private business relationships with persons under their authority pursuant to § 23(b)(2). This means that a teacher may not approach a student, or the student's parents, seeking private tutoring work. A teacher may provide tutoring when the relationship is initiated by the parents or a student, but, if the student is, or in the future may be, under the teacher's authority, the teacher will need to do a written disclosure.

The form to be used for this disclosure is Form 8, which is available at:

<http://www.mass.gov/ethics/disclosure-forms/municipal-employee-disclosure-forms/>.

*School District Policies Prohibiting Private Tutoring:* A school district may adopt policies that are more restrictive than the conflict of interest law. For example, a school district may choose to adopt a policy prohibiting teachers from privately tutoring any students in the same school in which they teach or in the

same school district in which they work. In that situation, the tutoring would be prohibited, even if doing so would otherwise be permissible under the conflict of interest law.

In sum, a teacher who is approached by parents of a student in his district but who is not one of his own students, and is asked to tutor their child, for payment by the parents, and using no public resources in connection with that tutoring, may do so. Teachers, however, should avoid tutoring in any of the situations described above that would raise issues under the conflict of interest law or district policy.

FPS School Committee Policy [File](#): GBH | [STAFF PARTICIPATION IN COMMUNITY ACTIVITIES](#)

FPS School Committee Policy [File](#): GBI | [STAFF PARTICIPATION IN POLITICAL ACTIVITIES](#)

FPS School Committee Policy [File](#): GRCD | [PRIVATE TUTORING FOR PAY](#)

FPS School Committee Policy [File](#): GCV/GD | [NON-SCHOOL EMPLOYMENT BY STAFF MEMBERS](#)

FPS School Committee Policy [File](#): EEBA/EEBB | [MANAGEMENT OF VEHICLES FOR EMPLOYMENT RELATED TRANSPORTATION](#)

### **112 Non-Disclosure**

The protection of confidential information is vital to the interests and the success of FPS. Employees who are exposed to confidential information, as defined by the policies herein, may be required to sign a non-disclosure agreement as a condition of employment. Employees who improperly use or disclose confidential information will be subject to disciplinary action, up to and including termination of employment and legal action, even if they do not actually benefit from the disclosed information.

MGL chapter 268A Section 23(c) prohibits a current or former public employee from accepting other employment or engaging in any business or professional activity which will require him to disclose confidential information which he has gained by reason of his official position or authority and from improperly disclosing such confidential materials or using such information to further his private interests.

[603 CMR 23.00](#) is promulgated by the Board of Education pursuant to its powers under M.G.L.c.71, s.34D which directs that “the board of education shall adopt regulations relative to the maintenance of student records by the public elementary and secondary schools of the Commonwealth,” and under M.G.L. c.71, s.34F which directs that “the board of education shall adopt regulations relative to the retention, duplication and storage of records under the control of school committees, and except as otherwise required by law may authorize the periodic destruction of any such records at reasonable times.” 603 CMR 23.00 was originally promulgated on February 10, 1975, and was reviewed and amended in June 1995. 603 CMR is in conformity with federal and state statutes regarding maintenance of and access to student records, and is to be construed harmoniously with such statutes.

FPS School Committee Policy [File](#): JRA | [STUDENT RECORDS](#)

FPS School Committee Policy [File](#): IHBA | [OBSERVATION OF SPECIAL EDUCATION PROGRAMS](#)

### **114 Disability Accommodation**

FPS is committed to complying fully with the [Americans with Disabilities Act](#) (ADA) and ensuring equal opportunity in employment for qualified persons with disabilities. All employment practices and activities are conducted on a non-discriminatory basis.

Hiring procedures have been reviewed and provide persons with disabilities meaningful employment opportunities. Upon request, job applications are available in alternative, accessible formats, as is

assistance in completing the application. Pre-employment inquiries are made only regarding an applicant's ability to perform the duties of the position.

Post-offer medical examinations are required only for those positions in which there is a bona fide job-related physical requirement. They are given to all persons entering the position only after conditional job offers. Medical records will be kept separate and confidential.

Reasonable accommodation is available to all disabled employees, where their disability affects the performance of job functions. All employment decisions are based on the merits of the situation in accordance with defined criteria, not the disability of the individual.

Qualified individuals with disabilities are entitled to equal pay and other forms of compensation (or changes in compensation) as well as in job assignments, classifications, organizational structures, position descriptions, lines of progression, and seniority lists. Leave of all types will be available to all employees on an equal basis as granted by School Committee policies and collective bargaining agreement.

FPS is also committed to not discriminating against any qualified employees or applicants because they are related to or associated with a person with a disability. FPS will follow any state or local law that provides individuals with disabilities greater protection than the ADA.

This policy is neither exhaustive nor exclusive. FPS is committed to taking all other actions necessary to ensure equal employment opportunity for persons with disabilities in accordance with the ADA and all other applicable federal, state, and local laws.

FPS School Committee Policy [File: ACAB | POLICY AND GRIEVANCE PROCEDURES FOR DISCRIMINATION](#)

FPS School Committee Policy [File: ACAB-E | DUTIES AND RESPONSIBILITIES OF THE TITLE IX/EQUITY COORDINATOR](#)

FPS School Committee Policy [File: ACE | NONDISCRIMINATION ON THE BASIS OF HANDICAP](#)

### **116 Job Posting**

FPS provides employees an opportunity to indicate their interest in open positions and advance within the FPS according to their skills and experience. In general, notices of all regular, full-time job openings are posted, although FPS reserves its discretionary right to not post a particular opening.

Job openings will be posted and normally remain open for 5 days. Eligible employees can only apply for those posted jobs for which they possess the required skills, competencies, and qualifications. To apply for an open position, please follow directions on the MyHr website.

FPS recognizes the benefit of developmental experiences and encourages employees to talk with their supervisors about their career plans. Supervisors are encouraged to support employees' efforts to gain experience and advance within the FPS.

Job posting is a way to inform employees of openings and to identify qualified and interested applicants who might not otherwise be known to the hiring authority. Other recruiting sources may also be used to fill open positions in the best interest of the FPS.

The FPS actively seek to increase the diversity of our staff and encourage people from protected classes to apply. For more information, please review the *Office of Human Resources Personnel Hiring Manual*.

Substitute teachers are assigned through Frontline Absence Management which utilizes both the internet and the telephone to assist in locating available jobs within the district. A substitute may search the Aesop web client for available jobs 24 hours a day, 7 days a week. Once a substitute

has accepted a job, they should report to the school's main office a minimum of 15 minutes prior to the opening of school to obtain building specific rules and regulations. A substitute should bring a copy of the confirmation number received from Frontline Absence Management when the position was accepted. A Photo ID must be visible at all times in any school building within the district.

FPS substitute teachers are at-will, temporary employees who perform services on an as-needed basis at the district's discretion. Framingham Public Schools makes no representations, guarantees or assurances regarding any minimum number, duration, or frequency of work assignments to be offered during the school year.

Please note that if a substitute teacher does not work for a period of 90 days, they will be listed as inactive and will be eligible for rehire dependent upon the recruiting needs of the district and their performance.

The school principal has the ability to restrict substitute teachers from their buildings due to violations of any of the practices and procedures, lack of performance, school policies and/or any ethics & code of conduct violations. A substitute teacher with five (5) or more restrictions must meet with the Office of Human Resources for a formal performance review. Afterward, an assessment of the substitute's continuation of employment will be made by the Office of Human Resources.

For more information, please review the *Framingham Public Schools Substitutes Handbook*.

FPS School Committee Policy [File](#): GCA | [PROFESSIONAL STAFF POSITIONS](#)

FPS School Committee Policy [File](#): GCEB | [ADMINISTRATOR RECRUITING](#)

FPS School Committee Policy [File](#): GCF | [PROFESSIONAL STAFF HIRING](#)

FPS School Committee Policy [File](#): GCG | [SUBSTITUTE PROFESSIONAL STAFF EMPLOYMENT](#)

FPS School Committee Policy [File](#): GCI | [PROFESSIONAL DEVELOPMENT POLICY](#)

FPS School Committee Policy [File](#): GCEB | [ADMINISTRATOR RECRUITING](#)

## **Employment Status & Records**

### **201 Employment Categories**

It is the intent of FPS to clarify the definitions of employment classifications so that employees understand their employment status and benefit eligibility. These classifications do not guarantee employment for any specified period of time. Accordingly, the right to terminate the employment relationship at will at any time is retained by both the employee and FPS.

Each employee is designated as either NONEXEMPT or EXEMPT from federal and state wage and hour laws. NONEXEMPT employees are entitled to overtime pay under the specific provisions of federal and state laws. EXEMPT employees are excluded from specific provisions of federal and state wage and hour laws. An employee's EXEMPT or NONEXEMPT classification may be changed only upon written notification by FPS management.

In addition to the above categories, each employee will belong to one other employment category:

REGULAR FULL-TIME employees are those who are not in a temporary or introductory status and who are regularly scheduled to work FPS's full-time schedule. Generally, they are eligible for FPS's benefit package, subject to the terms, conditions, and limitations of each benefit program.

PART-TIME employees are those who are not assigned to a temporary or introductory status and who are regularly scheduled to work fewer than 19.5 hours per week. While they do receive all legally mandated benefits, they are ineligible for all of FPS's other benefit programs.

INTRODUCTORY or PROBATIONARY employees are those whose performance is being evaluated to determine whether further employment in a specific position or with FPS is appropriate. Collective bargaining agreements indicate lengths of probationary periods.

TEMPORARY employees are those who are hired as interim replacements, to temporarily supplement the work force, or to assist in the completion of a specific project. Employment assignments in this category are of a limited duration. Employment beyond any initially stated period does not in any way imply a change in employment status. Temporary employees retain that status unless and until notified of a change. While temporary employees receive all legally mandated benefits, they are ineligible for all of FPS's other benefit programs.

PER DIEM employees are those who routinely work either a full-time or a part-time schedule and who accept additional compensation in lieu of participation in all but legally mandated benefit programs. FPS offers this category in limited classifications and to limited numbers of employees. Individuals participating in this program must sign waivers of their rights to participate in the benefit programs applicable to regular employees. Service in this category cannot be credited in any way toward any benefit program, even if the employee is later assigned to a benefit-eligible category. A change to or from this category can be accomplished only with the written consent of FPS.

CASUAL employees are those who have established an employment relationship with FPS but who are assigned to work on an intermittent and/or unpredictable basis. While they receive all legally mandated benefits, they are ineligible for all of FPS's other benefit programs.

FPS School Committee Policy [File: GCA | PROFESSIONAL STAFF POSITIONS](#)

FPS School Committee Policy [File: GCG | SUBSTITUTE PROFESSIONAL STAFF EMPLOYMENT](#)

FPS School Committee Policy [File: GCJ | PROFESSIONAL TEACHER STATUS](#)

FPS School Committee Policy [File: GDA | SUPPORT STAFF POSITIONS](#)

FPS School Committee Policy [File: GCEB | ADMINISTRATOR RECRUITING](#)

## **202 Access to Personnel Files**

FPS maintains a personnel file on each employee. The personnel file includes such information as the employee's job application, resume, records of training, documentation of performance appraisals and salary increases, and other employment records.

Personnel files are the property of FPS, and access to the information they contain is restricted. Generally, only supervisors and management personnel of FPS who have a legitimate reason to review information in a file are allowed to do so.

Employees who wish to review their own file should contact the Office of Human Resources. With reasonable advance notice, employees may review their own personnel files in FPS's offices and in the presence of an individual appointed by FPS to maintain the files.

MyHr is now a paperless office. If you want a digital copy of your personnel file, please submit your request in writing to the Office of Human Resources and allow at least a week for a copy unless otherwise indicated by a collective bargaining agreement.



FPS School Committee Policy [File: GBJ | PERSONNEL RECORDS](#)

### **203 Employment Reference Checks**

To ensure that individuals who join FPS are well qualified and have a strong potential to be productive and successful, it is the policy of FPS to check the employment references of all applicants.

FPS will respond in writing only to those reference check inquiries that are submitted in writing. Responses to such inquiries will confirm name, position(s), salary, and length of service. No employment data will be released without a written authorization and release signed by the individual who is the subject of the inquiry.

FPS School Committee Policy [File: GBJA | PROVIDING EMPLOYMENT REFERENCES](#)

FPS School Committee Policy [File: GBJA-R | PROVIDING EMPLOYMENT REFERENCES - REGULATIONS](#)

FPS School Committee Policy [File: GBJA | FRAMINGHAM PUBLIC SCHOOLS REFERENCE RELEASE FORM](#)

### **204 Personnel Data Changes**

It is the responsibility of each employee to promptly notify FPS of any changes in personnel data. Personal mailing addresses, telephone numbers, number and names of dependents, individuals to be contacted in the event of an emergency, educational accomplishments, and other such status reports should be accurate and current at all times. If any personnel data has changed, notify the Office of Human Resources.

FPS School Committee Policy [File: GBJ | PERSONNEL RECORDS](#)

### **205 Introductory or Probationary Period**

The introductory or probationary period is intended to give new employees the opportunity to demonstrate their ability to achieve a satisfactory level of performance and to determine whether the new position meets their expectations. FPS uses this period to evaluate employee capabilities, work habits, and overall performance. Either the employee or FPS may end the employment relationship at will at any time during or after the introductory period, with or without cause or advance notice.

All new and rehired employees work on an introductory basis for the first 90 days or more calendar days, as indicated by collective bargaining agreement, after their date of hire. Employees who are promoted or transferred within FPS must often complete a secondary introductory period of the same length with each reassignment to a new position, as determined by a collective bargaining agreement if one exists. Any significant absence will automatically extend an introductory period by the length of the absence. If FPS determines that the designated introductory period does not allow sufficient time to thoroughly evaluate the employee's performance, the introductory period may be extended for a specified period.

During the initial introductory period, new employees are eligible for those benefits that are required by law but district-provided benefits may be limited as specified by individual collective bargaining and personal agreements. Employees should read the information for each specific benefits program for the details on eligibility requirements.

FPS School Committee Policy [File: GCJ | PROFESSIONAL TEACHER STATUS](#)

### **208 Employment Applications**

FPS relies upon the accuracy of information contained in the employment application, as well as the accuracy of other data presented throughout the hiring process and employment. Any misrepresentations, falsifications, or material omissions in any of this information or data may result in

the exclusion of the individual from further consideration for employment or, if the person has been hired, termination of employment.

FPS School Committee Policy [File](#): ADDA | [BACKGROUND CHECKS](#)

FPS School Committee Policy [File](#): ADDA - R | [C.O.R.I. REQUIREMENTS](#)

FPS School Committee Policy [File](#): ADDA - E - 1 | [INFORMATION CONCERNING THE PROCESS IN CORRECTING A CRIMINAL RECORD](#)

FPS School Committee Policy [File](#): ADDA- E - 2 | [C.O.R.I. REQUIREMENTS](#)

### **209 Performance Evaluation**

Supervisors and employees are strongly encouraged to discuss job performance and goals on an informal, day-to-day basis. Additional formal performance evaluations are conducted to provide both supervisors and employees the opportunity to discuss job tasks, identify and correct weaknesses, encourage and recognize strengths, and discuss positive, purposeful approaches for meeting goals.

FPS School Committee Policy [File](#): GCO | [STAFF EVALUATION](#)

FPS School Committee Policy [File](#): GDO | [EVALUATION OF SUPPORT STAFF](#)

### **210 Job Descriptions**

FPS makes every effort to create and maintain accurate job descriptions for all positions within the district. Each description includes a job information section, a job summary section (giving a general overview of the job's purpose), an essential duties and responsibilities section, a supervisory responsibilities section, a qualifications section (including education and/or experience, language skills, mathematical skills, reasoning ability, and any certification required), and a physical demands section, if relevant.

FPS maintains job descriptions to aid in orienting new employees to their jobs, identifying the requirements of each position, establishing hiring criteria, setting standards for employee performance evaluations, and establishing a basis for making reasonable accommodations for individuals with disabilities.

The Office of Human Resources and the hiring manager prepare job descriptions when new positions are created. Existing job descriptions are also reviewed and revised in order to ensure that they are up-to-date. Job descriptions may also be rewritten periodically to reflect any changes in the position's duties and responsibilities. All employees will be expected to help ensure that their job descriptions are accurate and current, reflecting the work being done.

Employees should remember that job descriptions do not necessarily cover every task or duty that might be assigned, and that additional responsibilities may be assigned as necessary. Contact the Office of Human Resources if you have any questions or concerns about your job description.

FPS School Committee Policy [File](#): GCA | [PROFESSIONAL STAFF POSITIONS](#)

FPS School Committee Policy [File](#): GDA | [SUPPORT STAFF POSITIONS](#)

### **211 Internships and Student Teaching**

Local colleges and universities often partner with the FPS and request that the school district provide internships and student teacher opportunities for their students. FPS welcomes the opportunity ; not only will interns be better qualified to enter the educational workforce upon graduation, but they may also be encouraged to seek employment with FPS upon successful completion of the field experience.

FPS recognizes that our primary responsibility is to provide a first class education to our students. Providing learning opportunities to interns cannot conflict with or in any way diminish the educational services provided to our students. Internships and student teaching opportunities shall be undertaken in accordance with the following guidelines.

#### *Approval of Internship or Student Teaching Assignments*

- 1) Interns and students teaching assignments may be undertaken only with approval of the appropriate supervising administrator, most often the building administrator. All requests for intern or student teaching opportunities, with supporting documentation from the college or university, should be forwarded to the Office of Diversity, Equity, and Community Development.
- 2) The intern or student teacher must review any policies and requirements and pass a criminal history records check including a CORI and fingerprint background check prior to the commencement of the assignment. Students engaged in a practicum do not.
- 3) Upon final approval of the internship or student teaching assignment, the assigned cooperating teacher or professional will meet with the intern or student teacher to review this policy, legal requirements relating to the privacy of student records, civil rights policy, crisis plan, and any other policy related to the intern or student teaching assignment.
- 4) Interns and student teachers arriving at FPS specifically to do their student teaching or internship shall receive no compensation or other remuneration from the FPS and are not employees of the FPS. However, interns and student teachers will be subject to similar screening requirements conducted by the school district, and they must follow all FPS protocols and procedures.
- 5) Student teaching (or an internship) is allowed only if it does not in any way diminish the educational services provided to our students and only at the discretion of the building administrator. If it becomes apparent that the student teaching assignment or internship is diminishing educational services to our students, the supervising administrator may ask the student teacher or intern to discontinue the internship or student teaching assignment.
- 6) All existing FPS employees who would like to participate in a district internship or student teaching will bear the full cost of a substitute.

#### *Internship and Student Teaching Protocols*

- 1) The assigned cooperating teacher or other educational professional will supervise the intern or student teacher and be responsible for all aspects of the assignment.
- 2) The assigned cooperating teacher or other educational professional will be in good standing, shall hold a valid professional teaching license and had achieved professional teacher status in the FPS.
- 3) Interns and student teachers may attend building meetings and participate in parent conferences with a cooperating teacher or other educational professional.
- 4) In the event an intern or student teacher is undertaking work which would require a professional license, the cooperating teacher or educational professional should be mindful that the intern or student teacher is operating under the auspices of the cooperating teacher's license. All such work must be directly supervised by the cooperating teacher or educational professional and must in all respects comply with legal standards and regularly accepted practices sanctioned by the school district.
- 5) Interns and student teachers are not authorized to use physical restraints on students.
- 6) Interns and student teachers may draft reports or other materials for review by and use their assigned cooperating teacher; however, interns and student teachers are not authorized to sign documents of any kind on behalf of the FPS.
- 7) All reports, reviews, evaluations or other documentation provided to the college or university regarding the intern or student teacher performance, prepared by the cooperating teacher, shall be reviewed by the building principal or supervising administrator before being provided to the college or university.
- 8) FPS reserves the right to determine whether an intern or student teacher successfully completes the internship or student teaching.
- 9) FPS reserves the right to terminate the placement at any time.

- 10) The cooperating teacher or educational professional will forward any voucher received from the college or university to the building principal.

FPS School Committee Policy [File: CJ | ADMINISTRATIVE INTERN PROGRAM](#)

FPS School Committee Policy [File: LDA | STUDENT TEACHING AND INTERNSHIPS](#)

### **212 Salary Administration**

The salary administration program at FPS was created to achieve consistent pay practices, comply with federal and state laws, mirror our commitment to Equal Employment Opportunity, and offer competitive salaries within our labor market. Because recruiting and retaining talented employees is critical to our success, FPS is committed to paying its employees equitable wages that reflect the requirements and responsibilities of their positions and are comparable to the pay received by similarly situated employees in other organizations in the area.

Compensation for every position is determined by several factors, including the essential duties and responsibilities of the job, and salary survey data on pay practices of other employers.

Employees should bring their pay-related questions or concerns to the Office of Human Resources.

Individual collective bargaining agreements provide detailed information about the compensation for each bargaining unit and for each classification within each bargaining unit.

Overtime is governed by individual bargaining units. Any request for overtime must be made officially. It is the responsibility of the supervisor to control an employee's working overtime. All requests for additional hours must be first approved by the Office of Human Resources or the Office of Business Administration. Failure to do so will result in progressive discipline for the supervisor. For further clarification, please consult with the Assistant Superintendent for Human Resources prior to allowing any overtime hours.

FPS School Committee Policy [File: GCBA | PROFESSIONAL STAFF SALARY SCHEDULES](#)

FPS School Committee Policy [File: GDB | SUPPORT STAFF CONTRACTS AND COMPENSATION PLANS](#)

### **214 Medical Information Privacy**

This Medical Information Privacy policy describes how health information about employees may be used and disclosed by FPS and how employees can get access to this information. FPS is committed to maintaining and protecting the confidentiality of our employees' personal information in compliance with the [Health Insurance Portability and Accountability Act \(HIPAA\)](#). The Office of Human Resources is the designated Privacy Officer for all employee medical information.

This policy of privacy practices applies to the health plans of FPS that are covered by privacy regulations, for example health benefit plans, dental plans, and employee assistance plans (collectively referred to as the Benefit Plans). The Benefit Plans are required by federal and state law to protect the privacy of employees' individually identifiable health information and other personal information and to provide employees with notice about their policies, safeguards, and practices. When the Benefit Plans use or disclose employees' protected health information, the Benefit Plans are bound by the terms of this policy, or a revised policy, if applicable.

### **216 Social Security Number Privacy**

To protect employees' personal information, FPS prohibits the use of employees' Social Security numbers for identification purposes, except as allowed by law. FPS will not:

\* Publicly post or publicly display in any manner an employee's Social Security number. "Publicly post" or "publicly display" means to intentionally communicate or otherwise make available to the general public.

\* Print an employee's Social Security number on any card required for the employee to access products or services provided by FPS.

\* Require an employee to transmit his or her Social Security number over the Internet, unless the connection is secure or the Social Security number is encrypted.

\* Require an employee to use his or her Social Security number to access an Internet web site, unless a password or unique personal identification number or other authentication device is also required to access the Internet web site.

\* Print an employee's Social Security number on any materials that are mailed to the employee, unless state or federal law requires the Social Security number to be on the document to be mailed.

However, Social Security numbers may be included in applications and forms sent by mail, including documents sent as part of an application or enrollment process; or to establish, amend, or terminate an account, contract, or policy; or to confirm the accuracy of the Social Security number.

In instances where FPS previously used an employee's Social Security number in a manner inconsistent with this policy, it will continue using that employee's Social Security number in that manner, if all of the following conditions are met:

\* The use of the Social Security number is continuous. If the use is stopped for any reason, the conditions listed above will apply.

\* The employee is provided an annual disclosure that informs the employee that he or she has the right to stop the use of his or her Social Security number in a manner prohibited by those conditions listed above.

A written request by an employee to stop the use of his or her Social Security number in a prohibited manner will be implemented within 30 days of the receipt of the request. There will be no fee or charge for implementing the request.

FPS will not deny services to an employee because the employee makes a written request to stop the use of his or her Social Security number.

FPS will continue to collect, use, or release Social Security numbers as required by state or federal law, and may use Social Security numbers for internal verification or administrative purposes.

Employees who have questions about this policy or who feel that their Social Security number has been used inappropriately by FPS should contact the Office of Human Resources.

## **Employee Benefit Programs**

### **306 Workers' Compensation Insurance**

FPS provides a comprehensive workers' compensation insurance program at no cost to employees. This program covers any injury or illness sustained in the course of employment that requires medical, surgical, or hospital treatment. Subject to applicable legal requirements, workers' compensation insurance provides benefits after a short waiting period or, if the employee is hospitalized, immediately.

Employees who sustain work-related injuries or illnesses should inform their supervisor immediately. No matter how minor an on-the-job injury may appear, it is important that it be reported immediately and that an Accident Report is provided to the Office of the Superintendent within 24 hours of the incident. This will enable an eligible employee to qualify for coverage as quickly as possible.

Neither FPS nor the insurance carrier will be liable for the payment of workers' compensation benefits for injuries that occur during an employee's voluntary participation in any off-duty recreational, social, or athletic activity sponsored by FPS.

Please note that the City of Framingham, not FPS, handles all Workers' Compensation claims.

### **307 Sick Leave Benefits**

FPS provides paid sick leave benefits to all eligible employees for periods of temporary absence due to illnesses or injuries. Eligible employees will accrue sick leave benefits as determined by their contracts. Sick leave benefits, unless otherwise designated by a collective bargaining agreement or past practice, are calculated on the basis of a "benefit year", the 12-month period that begins when the employee starts to earn sick leave benefits.

Paid sick leave can be used in minimum increments as determined by contracts. An eligible employee may use sick leave benefits for an absence due to his or her own illness or injury, or that of a child, parent, or spouse of the employee. The number of days is determined by contract provisions.

Employees who are unable to report to work due to illness or injury should notify their direct supervisor before the scheduled start of their workday if possible. The direct supervisor must also be contacted on each additional day of absence. Failure to do so may result in disciplinary action, up to and including the termination of employment.

In the absence of a contractual provision stating otherwise, if an employee is absent for three or more consecutive days due to illness or injury, a physician's statement must be provided verifying the disability and its beginning and expected ending dates. Such verification may be requested for other sick leave absences as well and may be required as a condition to receiving sick leave benefits.

Unless a collective bargaining agreement provides otherwise, an employee may be required to provide physician's verification that they may safely return to work after an absence in excess of three (3) days.

Sick leave benefits will be calculated based on the employee's base pay rate at the time of absence and will not include any special forms of compensation, such as incentives, commissions, bonuses, or shift differentials.

Unused sick leave benefits will be allowed to accumulate indefinitely unless otherwise provided by contractual provisions.

Sick leave benefits are intended solely to provide income protection in the event of illness or injury, and may not be used for any other absence. Unused sick leave benefits will not be paid to employees while they are employed or upon termination of employment.

In addition to other sick leave benefits, the Framingham School Committee authorizes the establishment of a voluntary Sick Leave Bank. For more information, contact the Office of Human Resources.

FPS School Committee Policy File: GBCAAA | SICK LEAVE BANK

FPS School Committee Policy File: GBGB | STAFF PERSONAL SECURITY AND SAFETY

### **309 Bereavement Leave**

Employees who wish to take time off due to the death of an immediate family member should notify their supervisor immediately.

The length of a paid bereavement leave will be determined by contractual language.

Bereavement pay is calculated based on the base pay rate at the time of absence and will not include any special forms of compensation, such as incentives, commissions, bonuses, or shift differentials.

Bereavement leave will normally be granted unless there are unusual business needs or staffing requirements. Employees may, with their supervisors' approval, use any available paid leave for additional time off as necessary.

FPS defines "immediate family" as the employee's spouse, parent, child, sibling; the employee's spouse's parent, child, or sibling; the employee's child's spouse; grandparents or grandchildren. Special consideration will also be given to any other person whose association with the employee was similar to any of the above relationships. Individual collective bargaining agreements may define other categories that warrant bereavement leave.

### **311 Jury Duty**

FPS encourages employees to fulfill their civic responsibilities by serving jury duty when required. Employers in Massachusetts are required to pay an employee's regular wages for any work missed for the first three days of service. This is true for full-time, part-time, temporary, or casual employees. After the third day, the state compensates jurors at the rate of \$50 per day.

Jury duty pay will be calculated on the employee's base pay rate times the number of hours the employee would otherwise have worked on the day of absence. If employees are required to serve jury duty beyond the period of paid jury duty leave, they may use any available paid time off (for example, vacation benefits) or may request an unpaid jury duty leave of absence unless otherwise provided by a collective bargaining agreement.

Employees must show the jury duty summons to their supervisor as soon as possible so that the supervisor may make arrangements to accommodate their absence. Of course, employees are expected to report for work whenever the court schedule permits.

Either FPS or the employee may request an excuse from jury duty if, in FPS's judgment, the employee's absence would create serious operational difficulties.

Unless otherwise provided by FPS collective bargaining agreements, FPS will continue to provide health insurance benefits until the end of the month in which the unpaid jury duty leave begins. At that time, employees will become responsible for the full costs of these benefits if they wish coverage to continue. When the employee returns from jury duty, benefits will again be provided by FPS according to the applicable plans.

### **312 Witness Duty**

FPS encourages employees to appear in court for witness duty when subpoenaed to do so.

If employees have been subpoenaed or otherwise requested to testify as witnesses by FPS, they will receive paid time off for the entire period of witness duty.

Employees will be granted unpaid time off to appear in court as a witness when requested by a party other than FPS. Employees are free to use any available paid leave benefit (such as vacation leave) to receive compensation for the period of this absence.

The subpoena should be shown to the employee's supervisor immediately after it is received so that operating requirements can be adjusted, where necessary, to accommodate the employee's absence. The employee is expected to report for work whenever the court schedule permits.

### **313 Benefits Continuation (COBRA)**

The federal Consolidated Omnibus Budget Reconciliation Act (COBRA) gives employees and their qualified beneficiaries the opportunity to continue health insurance coverage under FPS's health plan when a "qualifying event" would normally result in the loss of eligibility. Some common qualifying events are resignation, termination of employment, or death of an employee; a reduction in an

employee's hours or a leave of absence; an employee's divorce or legal separation; and a dependent child no longer meeting eligibility requirements.

Under COBRA, the employee or beneficiary pays the full cost of coverage at FPS's group rates plus an administration fee. FPS provides each eligible employee with a written notice describing rights granted under COBRA when the employee becomes eligible for coverage under FPS's health insurance plan. The notice contains important information about the employee's rights and obligations.

### **316 Health Insurance**

FPS's health insurance plan provides regular full-time employees and their dependents access to medical and dental insurance benefits.

Eligible employees may participate in the health insurance plan subject to all terms and conditions of the agreement between FPS and the insurance carrier.

A change in employment classification that would result in loss of eligibility to participate in the health insurance plan may qualify an employee for benefits continuation under the Consolidated Omnibus Budget Reconciliation Act (COBRA). Refer to the Benefits Continuation (COBRA) Policy for more information.

Details of the health insurance plan are described in the Summary Plan Description (SPD). An SPD and information on cost of coverage will be provided in advance of enrollment to eligible employees. Contact the Office of Human Resources for more information about health insurance benefits.

### **317 Life Insurance**

Life insurance offers you and your family important financial protection. FPS provides a basic life insurance plan for eligible employees; you are eligible to sign up for permanent life insurance within the first 30 days of employment or during an enrollment period.

Eligible employees may participate in the life insurance plan subject to all terms and conditions of the agreement between FPS and the insurance carrier.

Details of the basic life insurance plan including benefit amounts are described on the myHr website. Contact the Office of Human Resources for more information about life insurance benefits.

### **318 Short-Term Disability**

FPS provides a short-term disability (STD) benefits plan to regular full-time eligible employees who are unable to work because of a qualifying disability due to an injury or illness. Eligible employees may participate in the STD plan subject to all terms and conditions of the agreement between FPS and the insurance carrier.

Disabilities arising from pregnancy or pregnancy-related illness are treated the same as any other illness that prevent an employee from working. STD benefits are offset by any workers' compensation benefits so that combined benefits do not exceed the maximum level.

Details of the STD benefits plan including benefit amounts, when they are payable, and limitations, restrictions, and other exclusions are described on the myHr website. Contact the Office of Human Resources for more information about STD benefits.

### **324 Employee Assistance Program**

FPS cares about the health and well-being of its employees and recognizes that a variety of personal problems can disrupt their personal and work lives. While many employees solve their problems either on their own or with the help of family and friends, sometimes employees need professional assistance and advice.



Through the Employee Assistance Program (EAP), FPS provides confidential access to professional counseling services for help in confronting such personal problems as alcohol and other substance abuse, marital and family difficulties, financial or legal troubles, and emotional distress. The EAP is available to all employees offering problem assessment, short-term counseling, and referral to appropriate community and private services.

The EAP is strictly confidential and is designed to safeguard your privacy and rights. Information given to the EAP counselor may be released only if requested by you in writing. All counselors are guided by a Professional Code of Ethics.

Personal information concerning employee participation in the EAP is maintained in a confidential manner. No information related to an employee's participation in the program is entered into the personnel file.

There is no cost for employees to consult with an EAP counselor. If further counseling is necessary, the EAP counselor will outline community and private services available. The counselor will also let employees know whether any costs associated with private services may be covered by their health insurance plan. Costs that are not covered are the responsibility of the employee.

Minor concerns can become major problems if you ignore them. No issue is too small or too large, and a professional counselor is available to help you when you need it. Call toll-free: 1-844-263-1982 or Visit [liveandworkwell.com](http://liveandworkwell.com) and use the access code `mass4you`.

Substance Use Treatment Helpline Identifying substance disorders can be confusing. Call the toll-free Substance Use Treatment Helpline at 1-855-780-5955 to speak with a licensed clinician.

### **326 Flexible Spending Account (FSA)**

FPS provides a Flexible Spending Account (FSA) program that allows regular full-time employees to have pre-tax dollars deducted from their salaries to pay for eligible out-of-pocket expenses. The pre-tax contributions made to the FSA can be used to pay for predictable non-reimbursed health care expenses and dependent care expenses during the plan year. Through the FSA program, you can reduce your taxable income without reducing your real income, so that you can keep more of the money you earn.

Participation in the Health Care and/or Dependent Care FSA is optional and determined on an annual basis for the plan year. You must enroll for each plan year. You determine how much to contribute to the account, up to a specified maximum, based on anticipated expenses during the plan year. The IRS limits dependent care contributions to \$5000 per tax year (joint return). The medical reimbursement plan limit is set by the employer up to the IRS maximum of \$2550 (effective 2015). Contributions are directed to the account through salary reduction on a pre-tax basis. This tax-free money is then available to you for reimbursement of out-of-pocket expenses. Since the amounts that remain in the account at the end of the plan year are forfeited, you should take care not to over-fund your account.

Details of the Flexible Spending Account program are described in the Summary Plan Description (SPD). Contact the Office of Human Resources for more information on the Flexible Spending Account program.

## **Timekeeping & Payroll**

### **401 Timekeeping**

Accurately recording time worked is the responsibility of every non-exempt (or hourly) employee. Federal and state laws require FPS to keep an accurate record of time worked in order to calculate employee pay and benefits. Time worked is all the time actually spent on the job performing assigned duties.

Nonexempt employees should accurately record the time they begin and end their work, as well as the beginning and ending time of each meal period. They should also record the beginning and ending time of any split shift or departure from work for personal reasons. Overtime work must always be approved

before it is performed. Failure to do so may result in disciplinary action up to and including the termination of employment.

Altering, falsifying, tampering with time records, or recording time on another employee's time record may result in disciplinary action, up to and including termination of employment.

Nonexempt employees should report to work no more than 10 minutes prior to their scheduled starting time nor stay more than 10 minutes after their scheduled stop time without express, prior authorization from their supervisor.

It is the employees' responsibility to register their time records to certify the accuracy of all time recorded. The supervisor will review and then approve the time record before submitting it for payroll processing. In addition, if corrections or modifications are made to the time record, both the employee and the supervisor must verify the accuracy of the changes as required.

FPS maintains the right to determine the mode of timekeeping in an effort to become more efficient, accurate and digitized.

All nonexempt employees must follow clocking in and out procedures. We allow such employees to "clock in" 20 minutes before the start of their shift so they can settle down and be in the classroom or their station ready to work once the bell rings or the shift starts; as such the employees do not need to start working until the start of their shift, and the "clock in" time is not determinative of when they are on "paid time".

#### **402 Billheads**

At the request of a supervisor, the employee must provide evidence of work for which a billhead is submitted. All curriculum work must be attached to a billhead seeking payment for such work. No additional hours can be worked without the express prior authorization of a supervisor. All supervisors must receive authorization for approval for additional hours from the Office of Human Resources or Office of Business Operations. Billheads must be submitted promptly for approval once the work has been completed.

#### **403 Paydays**

Unless otherwise provided by a collective bargaining agreement, non-exempt employees are paid weekly every Friday. Each paycheck will include earnings for all work performed through the end of the previous payroll period. Exempt employees are paid biweekly on every other Friday.

In the event that a regularly scheduled payday falls on a day off such as a weekend or holiday, employees will receive pay on the last day of work before the regularly scheduled payday.

In cases where an employee does not have direct deposit, if a regular payday falls during an employee's vacation, the employee's paycheck will be available upon his or her return from vacation unless arrangements for pickup are made in advance.

All employees must choose to have pay directly deposited into their bank accounts. Employees will receive an itemized statement of wages when FPS makes direct deposits.

#### **405 Employment Termination**

Termination of employment is an inevitable part of personnel activity within any organization, and many of the reasons for termination are routine. Below are examples of some of the most common circumstances under which employment is terminated:

\* **Resignation** - voluntary employment termination initiated by an employee. Please consult your CBA for specific information or requirements if any; the District appreciates a minimum of 30 days notice. An email/letter addressed to the Office of Human Resources, as a Designee of the Superintendent, suffices as notice of resignation.

\* **Discharge** - involuntary employment termination initiated by the organization.

\* **Layoff** - involuntary employment termination initiated by the organization for non-disciplinary reasons.

\* **Retirement** - voluntary employment termination initiated by the employee meeting age, length of service, and any other criteria for retirement from the organization.

FPS will generally schedule exit interviews at the time of employment termination. The exit interview will afford an opportunity to discuss such issues as employee benefits, conversion privileges, repayment of outstanding debts to FPS, or return of FPS-owned property. Suggestions, complaints, and questions can also be voiced.

Unless otherwise specified by a collective bargaining agreement, since employment with FPS is based on mutual consent, both the employee and FPS have the right to terminate employment at will, with or without cause, at any time. Employees will receive their final pay in accordance with applicable state law.

Employee benefits will be affected by employment termination in the following manner. All accrued, vested benefits that are due and payable at termination will be paid. Some benefits may be continued at the employee's expense if the employee so chooses. The employee will be notified in writing of the benefits that may be continued and of the terms, conditions, and limitations of such continuance.

Please note that the district shall pro-rate any benefits that have been credited based on a 12 month working year but that have not been accrued at the time of employment termination. For more information, please contact the Office of Human Resources.

FPS School Committee Policy [File: GCQD | RESIGNATION OF PROFESSIONAL STAFF MEMBERS](#)

FPS School Committee Policy [File: GCQE | RETIREMENT OF STAFF MEMBER](#)

FPS School Committee Policy [File: GDQC | RETIREMENT OF SUPPORT STAFF MEMBER](#)

#### **409 Administrative Pay Corrections**

FPS takes all reasonable steps to ensure that employees receive the correct amount of pay in each paycheck and that employees are paid promptly on the scheduled payday.

In the unlikely event that there is an error in the amount of pay, the employee should promptly bring the discrepancy to the attention of the Office of Human Resources so that corrections can be made as quickly as possible.

#### **410 Pay Deductions and Setoffs**

The law requires that FPS make certain deductions from every employee's compensation. Among these are applicable federal, state, and local income taxes. FPS also must deduct certain taxes on each employee's earnings up to a specified limit.

FPS offers programs and benefits beyond those required by law. Eligible employees may voluntarily authorize deductions from their paychecks to cover the costs of participation in these programs.

Pay setoffs are pay deductions taken by FPS, usually to help pay off a debt or obligation to FPS or others. The employee will be consulted and notified in advance of any such pay setoff.

If you have questions concerning why deductions were made from your paycheck or how they were calculated, the Office of Human Resources can assist in having your questions answered.

## Work Conditions & Hours

### **501 Safety**

To assist in providing a safe and healthful work environment for employees, students, and visitors, FPS has established a workplace safety program. This program is a top priority for FPS. The Office of the Superintendent, with the assistance of building administrators, has responsibility for implementing, administering, monitoring, and evaluating the safety program. Its success depends on the alertness and personal commitment of all.

FPS provides information to employees about workplace safety and health issues through regular internal communication channels such as supervisor-employee meetings, bulletin board postings, memos, or other written communications.

Each employee is expected to obey safety rules and to exercise caution in all work activities. Employees must immediately report any unsafe condition to the appropriate supervisor. Employees who violate safety standards, who cause hazardous or dangerous situations, or who fail to report or, where appropriate, remedy such situations, may be subject to disciplinary action, up to and including termination of employment.

In the case of accidents that result in injury, regardless of how insignificant the injury may appear, employees should immediately notify their supervisor who must then fill out an Accident Report within 24 hours of the incident and provide it to the Office of the Superintendent. Such reports are necessary to comply with laws and initiate insurance and workers' compensation benefits procedures.

FPS School Committee Policy [File: EB | SAFETY PROGRAM](#)

FPS School Committee Policy [File: EBCFA | FACE COVERINGS](#)

### **502 Work Schedules**

Work schedules for employees vary throughout our organization. Staffing needs and operational demands may necessitate variations in starting and ending times, as well as variations in the total hours that may be scheduled each day and week subject to whatever is stated in CBA.

FPS School Committee Policy [File: GCJA | PROFESSIONAL STAFF TIME SCHEDULES](#)

FPS School Committee Policy [File: GCL | PROFESSIONAL STAFF TIME SCHEDULES—WORK YEAR AND VACATION LEAVE](#)

FPS School Committee Policy [File: GCL-R | PROFESSIONAL STAFF TIME SCHEDULES](#)

FPS School Committee Policy [File: GDD | SUPPORT STAFF VACATIONS AND HOLIDAYS](#)

### **504 Use of Phone and Mail Systems**

Employees may be required to reimburse FPS for any charges resulting from their personal use of the telephone.

The mail system is reserved for business purposes only. Employees should refrain from sending or receiving personal mail at the workplace.

To ensure effective telephone communications, employees should always use the approved greeting and speak in a courteous and professional manner. Please confirm information received from the caller, and hang up only after the caller has done so.

## **505 Smoking**

In keeping with FPS's intent to provide a safe and healthful work environment, smoking is prohibited throughout the workplace. This policy applies equally to all employees, students, and visitors.

Smoking is not permitted in the school buildings or on school grounds in accordance with Massachusetts state law, not just School Committee policy; therefore, failure to adhere to this policy can result not only in criminal charges but also in disciplinary action up to and including termination of employment.

FPS School Committee Policy File: GBED | TOBACCO AND/OR RECREATIONAL MARIJUANA USE ON SCHOOL PROPERTY BY STAFF MEMBERS

FPS School Committee Policy File: ADC | TOBACCO AND/OR MARIJUANA USE ON SCHOOL PREMISES

## **506 Rest and Meal Periods**

MGL c. 149 s.100 requires a thirty (30) minute lunch period, but does not require breaks. More specifically, the law in Massachusetts states that an employer must provide a thirty-minute meal break during each work shift that lasts more than six hours. Unless otherwise provided by a collective bargaining agreement, this one half-hour meal break is unpaid. To the extent possible, rest periods will be provided in the middle of work periods.

All full-time employees are provided with one meal period each workday. As indicated by their collective bargaining agreement, support staff in Central Office are contactually afforded an hour for a lunch period. Supervisors will schedule meal periods to accommodate operating requirements.

Employees will be relieved of all active responsibilities and restrictions during meal periods and will not be compensated for that time unless otherwise provided by collective bargaining agreements. Nonexempt employees must "clock in and out" for meal breaks.

## **507 Overtime**

When operating requirements or other needs cannot be met during regular working hours, employees will be given the opportunity to volunteer for overtime work assignments. All overtime work must receive the supervisor's prior authorization. Furthermore, all overtime must be approved in advance by the Assistant Superintendent for Human Resources or Office of Business Operations. Overtime assignments will be distributed as equitably as practical to all employees qualified to perform the required work. Where necessary, FPS may require employees to work overtime provided doing so complies with respective collective bargaining agreements.

Overtime compensation is paid to all nonexempt employees in accordance with federal and state wage and hour restrictions. Overtime pay is based on actual hours worked. Time off on sick leave, vacation leave, or any leave of absence will not be considered hours worked for purposes of performing overtime calculations.

Failure to work scheduled overtime or overtime worked without prior authorization from the supervisor may result in disciplinary action, up to and including possible termination of employment.

Please refer to individual collective bargaining agreements for more information on compensation for each bargaining unit and for each classification within each bargaining unit. Overtime will also be governed by individual bargaining units.

Any request for overtime must be made officially. It is the responsibility of the supervisor to control an employee's working overtime. Failure to do so will result in progressive discipline for the supervisor. For further clarification, please consult with the Assistant Superintendent for Human Resources prior to allowing any overtime hours.

FPS School Committee Policy [File: GDB | SUPPORT STAFF CONTRACTS AND COMPENSATION PLANS](#)

### **508 Use of Equipment and Vehicles**

Equipment and vehicles essential in accomplishing job duties are expensive and may be difficult to replace. When using property, employees are expected to exercise care, perform required maintenance, and follow all operating instructions, safety standards, and guidelines.

Please notify the supervisor if any equipment, machines, tools, or vehicles appear to be damaged, defective, or in need of repair. Prompt reporting of damages, defects, and the need for repairs could prevent deterioration of equipment and possible injury to employees or others. The supervisor can answer any questions about an employee's responsibility for maintenance and care of equipment or vehicles used on the job.

The improper, careless, negligent, destructive, or unsafe use or operation of equipment or vehicles, as well as excessive or avoidable traffic and parking violations, can result in disciplinary action, up to and including termination of employment.

FPS School Committee Policy [File: EEBA/EEBB | MANAGEMENT OF VEHICLES FOR EMPLOYMENT RELATED TRANSPORTATION](#)

FPS School Committee Policy [File: EDC | AUTHORIZED USE OF SCHOOL-OWNED MATERIALS](#)

FPS School Committee Policy [File: ECAC | VANDALISM](#)

FPS School Committee Policy [File: DKC | EXPENSE REIMBURSEMENTS](#)

### **510 Emergency Closings**

At times, emergencies such as severe weather, fires, power failures, or earthquakes, can disrupt district operations. In extreme cases, these circumstances may require the closing of a work facility. In the event that such an emergency occurs during non-working hours, local radio and/or television stations will be asked to broadcast notification of the closing.

Unless otherwise indicated by a collective bargaining agreement, under Massachusetts minimum wage regulations, when an employee who is scheduled to work 3 or more hours reports for duty at the time set by the employer and that employee is not provided with the expected hours of work, the employee must be paid for at least 3 hours that day at no less than the basic minimum wage.

In cases where an emergency closing is not authorized, employees who fail to report for work will not be paid for the time off.

FPS School Committee Policy [File: EBCD | EMERGENCY CLOSINGS](#)

### **514 Visitors in the Workplace**

To provide for the safety and security of students, employees, and the facilities at FPS, only authorized visitors are allowed in the workplace. Restricting unauthorized visitors helps maintain safety standards, protects against theft, ensures security of students and personnel as well as equipment, protects confidential information, safeguards student and employee welfare, and avoids potential distractions and disturbances.

All visitors to individual school locations should enter respective main entrances. Authorized visitors will receive directions or be escorted to their destination. Employees are responsible for the conduct and safety of their visitors.

If an unauthorized individual is observed on FPS's premises, employees should immediately notify their supervisor or, if necessary, direct the individual to the main entrance.

FPS School Committee Policy [File](#): KI | [VISITORS TO THE SCHOOLS](#)

FPS School Committee Policy [File](#): IHBA | [OBSERVATION OF SPECIAL EDUCATION PROGRAMS](#)

### **515 ID Badges**

ID Badges are issued through the Office of Human Resources. If your ID Badge is lost, stolen, or damaged, you can request a replacement by contacting MyHr. All employees must have their ID Badges clearly displayed at all times during working hours. Failure to identify oneself upon request may result in being asked to leave the premises immediately.

### **516 Computer and Email Usage**

Computers, computer files, the email system, and software furnished to employees are FPS property intended for business use. Employees should not use a password, access a file, or retrieve any stored communication without authorization. To ensure compliance with this policy, computer and email usage may be monitored.

FPS strives to maintain a workplace free of harassment and sensitive to the diversity of its employees. Therefore, FPS prohibits the use of computers and the email system in ways that are disruptive, offensive to others, or harmful to morale.

For example, the display or transmission of sexually explicit images, messages, and cartoons is not allowed. Other such misuse includes, but is not limited to, ethnic slurs, racial comments, off-color jokes, or anything that may be construed as harassment or showing disrespect for others.

Email may not be used to solicit others for commercial ventures, religious or political causes, outside organizations, or other non-business matters.

FPS purchases and licenses the use of various computer software for business purposes and does not own the copyright to this software or its related documentation. Unless authorized by the software developer, FPS does not have the right to reproduce such software for use on more than one computer.

Employees may only use software on local area networks or on multiple machines according to the software license agreement. FPS prohibits the illegal duplication of software and its related documentation.

Employees should notify their immediate supervisor, the Office of Technology or any member of management upon learning of violations of this policy. Employees who violate this policy will be subject to disciplinary action, up to and including termination of employment.

Upon the termination of employment, computers and all district-owned electronic devices must be returned to the district prior to the official date of termination.

#### *FPS Staff Email Guidelines<sup>2</sup>*

FPS recognizes that electronic mail (email) is a valuable communication tool that is widely used across our society. We believe that communication between home and school is an important component to student success. Staff members are provided with district email accounts to improve the efficiency and effectiveness of communication both within the organization and with the broader community. The

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<sup>2</sup> Borrowed from Wayland Public Schools.

following guidelines are provided to assist staff in the effective use of email to enhance home-school collaboration.

Email messages are not confidential and are considered public documents accessible to other parties under the Freedom of Information Act and other laws. All sent and received messages will be archived indefinitely.

#### *General email guidelines for staff communication*

- Emails should be short, factual and directional in nature and only include facts. Email must never be used to discuss contentious, emotional or confidential issues. These issues should ideally be dealt with face-to-face.
- Staff should treat every email as a public document under the umbrella of the Public Records and Student Records laws.
- Staff members should respond to email in a timely fashion . One may choose to respond in many ways (e.g. email, telephone call, note, conference).
- You are not required to engage in lengthy correspondence with parents via email. A staff member can choose to use other forms of communication with parents, but should memorialize that other contact via a brief email reply.
- Email must never be used to discuss contentious, emotional or highly confidential issues. These issues should ideally be dealt with face-to-face.
- Email messages to parents should be consistent with professional practices for other correspondence. This includes grammar, format, and salutation.
- Emails should be short and directional in nature and only include facts.

#### *Generic email responses*

If a staff member feels that a topic is too sensitive for an email reply, here are two generic responses:

*Thank you for your email. Framingham Public Schools does not use email to discuss sensitive student information. In order to best address your concerns and quickly answer your questions, please feel free to call me at (insert number and best time to reach you) and I will be happy to discuss this with you further. Thank you for your interest in your child's success.*

*Thank you for your email. I feel this concern is too sensitive for email. I would prefer to speak in person regarding this matter. I will call you on (insert date and time) to discuss this matter further. Thank you for your interest in your child's success.*

#### *Email auto signatures encouraged*

Include name, position, location, telephone number, and best time to reach you. Staff may not include religious, political, or commercial messages in their signatures.

#### *Acceptable use of parent communication*

- Email should be used for general information such as: class activities, curriculum, assignments, tests, deadlines and special events.
- To arrange for a meeting/telephone call regarding a student issue including a general description of the issue e.g. "I would like to arrange a meeting to discuss your daughter's attendance."

#### *Unacceptable use of parent communication*

- Any discussion related to other students.
- Personal information about other students.



- Specifics about a sensitive student issue which was not initiated by the parent or had not previously been discussed with the parent. (e.g. ‘I am concerned that your daughter violated our Academic Integrity Policy.’)
- Any discussion related to other staff.
- Any sensitive student information that would normally be discussed face-to-face or by phone. (e.g. ‘I am concerned that your daughter may have a learning disability.’)

*Acceptable use of student communication*

- Information about a student's academic performance (e.g. improved performance or class participation, missing assignments).
- Discussions specifically related to class activities (e.g. curriculum, homework, special events, assignments, important dates).

*Unacceptable use of student communication*

- Any discussion of or information related to other students.
- Any negative discussion related to other staff, students, parents, or community members.
- Discussion about the personal life of staff members or students (e.g. home life, vacations, relationships).
- Exchange of home addresses, phone numbers (cell, home) or online chat room account information.

FPS School Committee Policy [File: IJND | ACCESS TO DIGITAL RESOURCES](#)

**517 Internet Usage**

Internet access to global electronic information resources on the World Wide Web is provided by FPS to assist employees in obtaining work-related data and technology. The following guidelines have been established to help ensure responsible and productive Internet usage. All Internet usage is limited to job-related activities. Personal use of the Internet is not permitted.

All Internet data that is composed, transmitted, or received via our computer communications systems is considered to be part of the official records of FPS and, as such, is subject to disclosure to law enforcement or other third parties. Consequently, employees should always ensure that the business information contained in Internet email messages and other transmissions is accurate, appropriate, ethical, and lawful.

The equipment, services, and technology provided to access the Internet remain at all times the property of FPS. As such, FPS reserves the right to monitor Internet traffic, and retrieve and read any data composed, sent, or received through our online connections and stored in our computer systems.

Data that is composed, transmitted, accessed, or received via the Internet must not contain content that could be considered discriminatory, offensive, obscene, threatening, harassing, intimidating, or disruptive to any employee or other person. Examples of unacceptable content may include, but are not limited to, sexual comments or images, racial slurs, gender-specific comments, or any other comments or images that could reasonably offend someone on the basis of race, age, sex, religious or political beliefs, national origin, disability, sexual orientation, or any other characteristic protected by law.

The unauthorized use, installation, copying, or distribution of copyrighted, trademarked, or patented material on the Internet is expressly prohibited. As a general rule, if an employee did not create material, does not own the rights to it, or has not gotten authorization for its use, it should not be put on the Internet. Employees are also responsible for ensuring that the person sending any material over the Internet has the appropriate distribution rights.

Internet users should take the necessary anti-virus precautions before downloading or copying any file from the Internet. All downloaded files are to be checked for viruses; all compressed files are to be checked before and after decompression.

Abuse of the Internet access provided by FPS in violation of law or FPS policies will result in disciplinary action, up to and including termination of employment. Employees may also be held personally liable for any violations of this policy. The following behaviors are examples (though are not an exhaustive list) of previously stated or additional actions and activities that are prohibited and can result in disciplinary action:

- \* Sending or posting discriminatory, harassing, or threatening messages or images
- \* Using the organization's time and resources for personal gain
- \* Stealing, using, or disclosing someone else's code or password without authorization
- \* Copying, pirating, or downloading software and electronic files without permission
- \* Sending or posting confidential material, trade secrets, or proprietary information outside of the organization
- \* Violating copyright law
- \* Failing to observe licensing agreements
- \* Engaging in unauthorized transactions that may incur a cost to the organization or initiate unwanted Internet services and transmissions
- \* Sending or posting messages or material that could damage the organization's image or reputation
- \* Participating in the viewing or exchange of pornography or obscene materials
- \* Sending or posting messages that defame or slander other individuals
- \* Attempting to break into the computer system of another organization or person
- \* Refusing to cooperate with a security investigation
- \* Sending or posting chain letters, solicitations, or advertisements not related to business purposes or activities
- \* Using the Internet for political causes or activities, religious activities, or any sort of gambling
- \* Jeopardizing the security of the organization's electronic communications systems
- \* Sending or posting messages that disparage another organization's products or services
- \* Passing off personal views as representing those of the organization
- \* Sending anonymous email messages
- \* Engaging in any other illegal activities

### *FPS Social Media Guidelines*<sup>3</sup>

Members of the FPS community are encouraged to use social media (Google+, Twitter, blogs, etc...) as a way to connect with others, share educational resources, create and curate educational content, and enhance the classroom experience. While social networking is fun and valuable, there are some risks

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<sup>3</sup> Borrowed from Wayland Public Schools.

you should keep in mind when using these tools. In the social media world, the lines are blurred between what is public or private, personal or professional. We've created these social media guidelines for you to follow when representing the School/District in the virtual world.

#### *Don't tell secrets*

It's perfectly acceptable to talk about your work and have a dialog with the community, but it's not okay to publish confidential information. Confidential information includes things such as student information, grades, or any other confidential information that would identify individuals. We must protect and respect the privacy of our students, staff, parents, and school community.

#### *Protect your own privacy*

Privacy settings that might allow others to post information or see information that is personal should be set to limit access. Be mindful of posting information that you would not want the public to see.

#### *Be honest*

Do not blog anonymously, using pseudonyms or false screen names. We believe in transparency and honesty. Use your real name, be clear who you are, and identify that you work for the FPS. Nothing gains you notice in social media more than honesty - or dishonesty. Do not say anything that is dishonest, untrue, or misleading. If you have a vested interest in something you are discussing, point it out. But also be smart about protecting yourself and your privacy. What you publish will be around for a long time, so consider the content carefully and also be cautious about disclosing personal details.

#### *Respect copyright laws*

It is critical that you show proper respect for the laws governing copyright and fair use or fair dealing of copyrighted material owned by others. You should never quote more than short excerpts of someone else's work, and always attribute such work to the original author/source. It is good general practice to link to others' work rather than reproduce it. Be the first to respond to your own mistakes. If you make an error, be up front about your mistake and correct it quickly.

#### *Use good judgment*

Respect and protect your audience and partners, the public in general, and FPS's staff and community. They reflect a diverse set of customs, values and points of view. Don't be afraid to be yourself, but do so respectfully. This includes not only the obvious (no ethnic slurs, offensive comments, defamatory comments, personal insults, obscenity, etc.) but also proper consideration of privacy and of topics that may be considered objectionable or inflammatory. When commenting publicly, it is easy for comments to be unintentionally construed as official communication.

Use your best judgment and be sure to make it clear that the views and opinions expressed are yours alone and do not represent the official views of FPS. If you have any questions about appropriate communication, consult with colleagues or administrators.

#### *Think about consequences*

Once again, it's all about judgment: using your blog or other social media outlets to slander or embarrass or represent the FPS, its partners/community, or your co-workers, is dangerous and ill advised.

#### *Disclaimers*

Many social media users include a prominent disclaimer saying who they work for, but that they're not speaking officially on behalf of their organization. This is good practice and is encouraged, but don't count on it to avoid trouble.

#### *Quality matters*

Post content on topics you are knowledgeable about. Use a spell-checker. If you're not design-oriented, ask someone who is to review your social media presence, and take their advice on how to improve it.

The speed of being able to publish your thoughts is both a great feature and a great downfall of social media. The time to edit or reflect must be self-imposed. If in doubt over a post, or if something does not feel right, either let it sit and look at it again before publishing it, or ask someone else to look at it first.

#### *Enforcement*

It is expected that all members of the FPS community use social media platforms in a way that is consistent with our educational mission and policies. If someone accuses you of posting something improper (such as their copyrighted material or a defamatory comment about them), deal with it quickly.

#### *Remember your day job*

It's easy to burn time using Social Media. Make sure that the time you spend interacting on social media platforms is productive, enriching, and supportive of your professional responsibilities.

#### *Unacceptable use of Personal Social Media Accounts*

It is advisable to keep personal social media accounts separate from school-related accounts. Use of personal social media platforms for communication and collaboration of school-related business is unacceptable.

FPS School Committee Policy [File: IJND | ACCESS TO DIGITAL RESOURCES](#)

FPS School Committee Policy [File: IJNDB | EMPOWERED DIGITAL USE POLICY](#)

FPS School Committee Policy [File: IJNDC | SCHOOL AND DISTRICT WEB PAGES](#)

FPS School Committee Policy [File: IJNDC-R | WEB SITE GUIDELINES AND PROCEDURES FOR APPROVAL](#)

FPS School Committee Policy [File: IJNDD | POLICY ON FACEBOOK AND SOCIAL NETWORKING WEB SITES](#)

### **518 Workplace Monitoring**

Workplace monitoring may be conducted by FPS to ensure quality control, employee safety, security, and customer satisfaction.

Computers furnished to employees are the property of FPS. As such, computer usage and files may be monitored or accessed.

FPS may conduct video surveillance of non-private workplace areas. Video monitoring is used to identify safety concerns, maintain quality control, detect theft and misconduct, and discourage or prevent acts of harassment and workplace violence.

Because FPS is sensitive to the legitimate privacy rights of employees, every effort will be made to guarantee that workplace monitoring is done in an ethical and respectful manner.

### **519 Work Product**

For the purpose of this policy, the term "Work Product" shall mean any concept, tool, hardware, software, manual, powerpoint, program, or other item, developed, written, created, or designed by an employee within the course and scope of, and during the term of, employment with the FPS. This includes not only items that are developed using resources of the FPS or that are saved on FPS servers or stored on FPS property, but also any item that is developed using resources from any source(s) or that is stored in any location while an employee is receiving a salary from the FPS, if the item is within the scope of work the employee is being paid to do for the FPS.

This policy shall apply to all Work Product, portions of Work Product, or derivative works developed, written, created, or designed by employees, within the course and scope of and during the term of their employment with the FPS.

Any Work Product produced by an employee within the course and scope of and during the term of employment with the FPS shall be owned solely by the FPS. Employees may recite their development of or contribution to Work Product, as long as the Work Product has not been deemed confidential by the FPS, or with the written permission of FPS.

Work Product may be used for non-FPS purposes, such as for personal gain or benefit only with the express permission and at the sole discretion of the FPS. An employee seeking to use Work Product for any non-FPS purpose must obtain written authorization.

### **520 Telecommuting**

Telecommuting is the practice of working at home or at a site near the home instead of physically traveling to a central workplace. FPS does not support any form of telecommuting arrangements.

### **520 Copyright**

We at the FPS recognize and respect intellectual property rights and are committed to fulfilling our moral and legal obligations with respect to our use of copyright-protected works. FPS expects its employees to be responsible consumers of copyrighted materials. We also encourage employees to educate their peers on copyright compliance. If any employee witnesses a potential copyright infringement, please bring the matter to the attention of the individual as well as to your supervisor. Employees who illegally duplicate copyrighted works may be subject to disciplinary action up to and including termination.

FPS School Committee Policy [File](#): EGAD | [REPRODUCTION OF COPYRIGHTED MATERIALS](#)

### **522 Workplace Violence Prevention**

FPS is committed to preventing workplace violence and to maintaining a safe work environment. Given the increasing violence in society in general, FPS has adopted the following guidelines to deal with intimidation, harassment, or other threats of (or actual) violence that may occur during business hours or on its premises.

All employees, including supervisors and temporary employees, should be treated with courtesy and respect at all times. Employees are expected to refrain from fighting, "horseplay," or other conduct that may be dangerous to others. Firearms, weapons, and other dangerous or hazardous devices or substances are prohibited from the premises of FPS without proper authorization.

Conduct that threatens, intimidates, or coerces another employee, a customer, or a member of the public at any time, including off-duty periods, will not be tolerated. This prohibition includes all acts of harassment, including harassment that is based on an individual's sex, race, age, or any characteristic protected by federal, state, or local law.

All threats of (or actual) violence, both direct and indirect, should be reported as soon as possible to your immediate supervisor or any other member of management. This includes threats by employees, as well as threats by customers, vendors, solicitors, or other members of the public. When reporting a threat of violence, you should be as specific and detailed as possible.

All suspicious individuals or activities should also be reported as soon as possible to a supervisor. Do not place yourself in peril. If you see or hear a commotion or disturbance near your workstation, do not try to intercede or see what is happening.

FPS will promptly and thoroughly investigate all reports of threats of (or actual) violence and of suspicious individuals or activities. The identity of the individual making a report will be protected as

much as is practical. In order to maintain workplace safety and the integrity of its investigation, FPS may suspend employees, either with or without pay, pending investigation.

Anyone determined to be responsible for threats of (or actual) violence or other conduct that is in violation of these guidelines will be subject to prompt disciplinary action up to and including termination of employment.

FPS encourages employees to bring their disputes or differences with other employees to the attention of their supervisors or the Assistant Superintendent for Human Resources before the situation escalates into potential violence. FPS is eager to assist in the resolution of employee disputes, and will not discipline employees for raising such concerns.

### **526 Cell Phone Usage**

FPS provides cellular telephones to some employees as a business tool. They are provided to assist employees in communicating with management and other employees, their clients, associates, and others with whom they may conduct business. Cell phone use is primarily intended for business-related calls. However, occasional, brief personal use is permitted within a reasonable limit. Cell phone invoices may be regularly monitored.

For those employees who drive vehicles in their role(s) at FPS, employees may have access to a cell phone while in their cars and should remember that their primary responsibility is driving safely and obeying the rules of the road. Such employees are prohibited from using cell phones to conduct business while driving and should safely pull off the road and come to a complete stop before dialing or talking on the phone.

As a representative of FPS, cell phone users are reminded that the regular business etiquette employed when speaking from office phones or in meetings applies to conversations conducted over a cell phone.

Unless personal cell phones are used for instructional purposes, personal cell phones should be silent or on vibrate while in the presence of students since ringing cell phones can be a distraction to the teaching and supervision of children. Also, employees should not be checking texts, FB and any other social media during the school day while with children, including morning, recess, or afternoon duties. No staff member should be taking pictures of any students and posting them to FB or other social media outlets.

FPS School Committee Policy [File: IJNDD | POLICY ON FACEBOOK AND SOCIAL NETWORKING WEB SITES](#)

## **Leaves of Absences**

### **601 Medical Leave**

FPS provides medical leaves of absence without pay to eligible employees who are temporarily unable to work due to a serious health condition or disability. For purposes of this policy, serious health conditions or disabilities include inpatient care in a hospital, hospice, or residential medical care facility; continuing treatment by a health care provider; and temporary disabilities associated with pregnancy, childbirth, and related medical conditions.

Eligible employees should make requests for medical leave to their supervisors at least 30 days in advance of foreseeable events and as soon as possible for unforeseeable events.

A health care provider's statement must be submitted verifying the need for medical leave and its beginning and expected ending dates. Any changes in this information should be promptly reported to FPS. Employees returning from medical leave must submit a health care provider's verification of their fitness to return to work.

Eligible employees are normally granted leave for the period of the disability, up to a maximum of 12 weeks within a calendar year. Any combination of medical leave and family leave may not exceed this

maximum limit. Employees will be required to use any accrued paid leave time concurrently with any leave granted under federal or state law.

Employees who sustain work-related injuries are eligible for a medical leave of absence for the period of disability in accordance with all applicable laws covering occupational disabilities.

Subject to the terms, conditions, and limitations of the applicable plans, health insurance benefits will be provided by FPS until such time when an employee goes on an unpaid status. At that time, employees will become responsible for the full costs of these benefits if they wish coverage to continue. When the employee returns from medical leave, benefits will again be provided by FPS according to the applicable plans.

During a medical leave, it is up to the employee to keep their supervisor informed as to a predicted return date. In fact, so that an employee's return to work can be properly scheduled, an employee on medical leave is requested to provide FPS with at least two weeks advance notice of the date the employee intends to return to work. When a medical leave ends, the employee will be reinstated to the same position, if it is available, or to an equivalent position for which the employee is qualified.

If an employee fails to return to work on the agreed upon return date, FPS will assume that the employee has resigned.

FPS School Committee Policy [File](#): GBGF | [FAMILY AND MEDICAL LEAVE](#)

FPS School Committee Policy [File](#): GBCAAA | [SICK LEAVE BANK](#)

## **602 Family Leave**

FPS provides family leaves of absence without pay to eligible employees who wish to take time off from work duties to fulfill family obligations relating directly to childbirth, adoption, or placement of a foster child; or to care for a child, spouse, or parent with a serious health condition. A serious health condition means an illness, injury, impairment, or physical or mental condition that involves inpatient care in a hospital, hospice, or residential medical care facility; or continuing treatment by a healthcare provider.

Eligible employees should make requests for family leave to their supervisors at least 30 days in advance of foreseeable events and as soon as possible for unforeseeable events.

Employees requesting family leave related to the serious health condition of a child, spouse, or parent may be required to submit a health care provider's statement verifying the need for a family leave to provide care, its beginning and expected ending dates, and the estimated time required.

Eligible employees may request up to a maximum of 12 weeks of family leave within a calendar year. Any combination of family leave and medical leave may not exceed this maximum limit. Employees will be required to use any accrued paid leave time concurrently with any leave granted under federal or state law. Married employee couples may be restricted to a combined total of weeks leave within any month period for childbirth, adoption, or placement of a foster child; or to care for a parent with a serious health condition.

Subject to the terms, conditions, and limitations of the applicable plans, health insurance benefits will be provided by FPS until the employee goes on an unpaid status. At that time, employees will become responsible for the full costs of these benefits if they wish coverage to continue. When the employee returns from family leave, benefits will again be provided by FPS according to the applicable plans.

During a family leave, it is up to the employee to keep their supervisor informed as to a predicted return date. In fact, so that an employee's return to work can be properly scheduled, an employee on family leave is requested to provide FPS with at least two weeks advance notice of the date the employee intends to return to work. When a family leave ends, the employee will be reinstated to the same position, if it is available, or to an equivalent position for which the employee is qualified.

If an employee fails to return to work on the agreed upon return date, FPS will assume that the employee has resigned.

FPS School Committee Policy [File](#): GBGF | [FAMILY AND MEDICAL LEAVE](#)

### **603 Personal Leave**

Under some collective bargaining agreements, FPS provides leaves of absence without pay to eligible employees who wish to take time off from work duties to fulfill personal obligations. During an unpaid leave of absence, employees will become responsible for the full costs of their benefits if they wish coverage to continue. When the employee returns from personal leave, benefits will again be provided by FPS according to the applicable plans.

When a personal leave ends, every reasonable effort will be made to return the employee to the same position, if it is available, or to a similar available position for which the employee is qualified. However, FPS cannot guarantee reinstatement in all cases.

If an employee fails to report to work promptly at the expiration of the approved leave period, FPS will assume the employee has resigned.

### **605 Military Leave**

Massachusetts law protects employees and applicants from discrimination based on their membership in, application to perform, or obligation to perform military service, including service in the National Guard.

In addition, Massachusetts employees who are members of an organized unit of the ready reserves of the armed forces may take up to 17 days of leave per year for training. This military training leave may not affect the employee's vacation, sick leave, bonus, or promotion rights. The employee must give the employer notice of the departure and anticipated return date, and must provide evidence of the satisfactory completion of training.

A military leave of absence will be granted to employees who are absent from work because of service in the U. S. uniformed services in accordance with the Uniformed Services Employment and Reemployment Rights Act (USERRA). Advance notice of military service is required, unless military necessity prevents such notice or it is otherwise impossible or unreasonable.

Employees will receive partial pay for two-week training assignments and shorter absences. Upon presentation of satisfactory military pay verification data, employees will be paid the difference between their normal base compensation and the pay (excluding expense pay) received while on military duty.

The portion of any military leaves of absence in excess of two weeks will be unpaid. However, employees may use any available paid time off for the absence.

Continuation of health insurance benefits is available as required by USERRA based on the length of the leave and subject to the terms, conditions and limitations of the applicable plans for which the employee is otherwise eligible.

Vacation, sick leave, and holiday benefits will continue to accrue during a military leave of absence.

Employees on military leave for up to 30 days are required to return to work for the first regularly scheduled shift after the end of service, allowing reasonable travel time. Employees on longer military leave must apply for reinstatement in accordance with USERRA and all applicable state laws.

Employees returning from military leave will be placed in the position they would have attained had they remained continuously employed or a comparable one depending on the length of military service in accordance with USERRA. They will be treated as though they were continuously employed for purposes of determining benefits based on length of service.

Contact the Office of Human Resources for more information or questions about military leave.



### **606 Pregnancy-Related Matters**

“An Act Establishing the Massachusetts Pregnant Workers Fairness Act” (the “Act”), which went into effect on *April 1, 2018*, Massachusetts’ anti-discrimination statute, Massachusetts General Laws, Chapter 151B, includes explicit protections for employees who are pregnant and those who have conditions related to pregnancy, including nursing mothers.

Under the Act, Massachusetts employers are required to engage in a timely, good faith interactive process with any worker who is pregnant or experiencing a condition related to pregnancy (including but not limited to lactation or the need to express milk for a nursing child) and requests an accommodation for this condition.

The term “reasonable accommodation” is defined to include (but not be limited to) the following: (1) More frequent or longer paid or unpaid breaks; (2) Time off to attend to a pregnancy complication or recover from childbirth with or without pay; (3) Acquisition or modification of equipment or seating; (4) Temporary transfer to a less strenuous or hazardous position; (5) Job restructuring; (6) Light duty; (7) Private non-bathroom space for expressing breast milk; (8) Assistance with manual labor; or (9) A modified work schedule (provided that an employer will not be required to discharge or transfer a more senior employee and/or promote an employee unable to perform the essential functions of the position).

An employer may ask for documentation about the need for a reasonable accommodation from “an appropriate health care or rehabilitation professional,” which is defined as “a medical doctor, including a psychiatrist, a psychologist, a nurse practitioner, a physician assistant, a psychiatric clinical nurse specialist, a physical therapist, an occupational therapist, a speech therapist, a vocational rehabilitation specialist, a midwife, a lactation consultant or another licensed mental health professional authorized to perform specified mental health services.” An employer cannot, however, ask for documentation in connection with a request for the following accommodations: (i) more frequent restroom, food or water breaks; (ii) seating; (iii) limits on lifting over 20 pounds; and (iv) private non-bathroom space for expressing breast milk.

The Act also prohibits employers from the following: (1) Absent a showing of hardship, denying a reasonable accommodation for a worker’s pregnancy or condition related to pregnancy; (2) Taking adverse action against an employee who requests or uses a reasonable accommodation (including failing to reinstate the employee to the original position or an equivalent position of pay, seniority, benefits and service credits when the need for accommodation ends); (3) Denying an employment opportunity to an employee based on the need to accommodate conditions related to pregnancy; (4) Requiring an employee to take a leave if another reasonable accommodation may be provided; (5) Absent a showing of hardship, refusing to hire an employee who is pregnant because of the pregnancy or because of a condition related to the person’s pregnancy, if the employee can perform the essential functions of the position with reasonable accommodation; and/or (6) Require an affected employee to accept an accommodation that the employee does not wish to accept “if that accommodation is unnecessary to enable the employee to perform the essential functions of the job”; in other words, employers may generally not undertake to unilaterally impose a job restriction or modification due to employee pregnancy in the absence of a separate legal or regulatory consideration.

The Act defines undue hardship as an “action requiring significant difficulty or expense,” and places the burden of proving whether or not a requested accommodation presents an undue hardship on the employer. Factors to be considered in an assessment of undue hardship are similar to the assessment of undue hardship located in other sections of Chapter 151B, and include (i) the nature and cost of the needed accommodation; (ii) the overall financial resources of the employer; (iii) the overall size of the business of the employer with respect to the number of employees and the number, type and location of its facilities; and (iv) the effect on expenses and resources or any other impact of the accommodation on the employer’s program, enterprise or business.

Employers must notify all employees of the Act’s protections in a “handbook, pamphlet or other means

of notice". In addition, employers must provide notification of the Act's protections to an employee who has informed the employer of a pregnancy or a pregnancy related condition within 10 days of notice to the employer.

### **607 Pregnancy-Related Absences**

Unless otherwise provided by a collective bargaining agreement, FPS provides pregnancy disability leaves of absence without pay to eligible employees who are temporarily unable to work due to a disability related to pregnancy, childbirth, or related medical conditions.

Employees should make requests for pregnancy disability leave to their supervisors at least 30 days in advance of foreseeable events and as soon as possible for unforeseeable events unless otherwise provided by a collective bargaining agreement.

Unless otherwise provided by a collective bargaining agreement, a health care provider's statement must be submitted verifying the need for pregnancy disability leave and its beginning and expected ending dates. Any changes in this information should be promptly reported to FPS. Employees returning from pregnancy disability leave may be asked to submit a health care provider's verification of their fitness to return to work.

Employees are normally granted unpaid leave for the period of the disability, up to a maximum of 12 weeks within any calendar year. Employees will be required to use any accrued paid leave time concurrently with any leave granted under federal or state law.

Unless otherwise indicated by a collective bargaining agreement, employees will become responsible for the full costs of these benefits if they wish coverage to continue. When the employee returns from pregnancy disability leave, benefits will again be provided by FPS according to the applicable plans.

During a pregnancy-related leave, it is up to the employee to keep her supervisor informed as to a predicted return date. In fact, so that an employee's return to work can be properly scheduled, an employee on pregnancy disability leave is requested to provide FPS with at least three weeks advance notice of the date she intends to return to work.

When a pregnancy disability leave ends, the employee will be reinstated to the same position, unless either the job ceases to exist because of legitimate business reasons or each means of preserving the job would substantially undermine the ability to operate FPS safely and efficiently. If the same position is not available, the employee will be offered a comparable position in terms of such issues as pay, location, job content, and promotional opportunities.

If an employee fails to report to work promptly at the end of the pregnancy disability leave, FPS will assume that the employee has resigned.

FPS School Committee Policy [File](#): GBGF | [FAMILY AND MEDICAL LEAVE](#)

### **608 Nursing**

The federal Patient Protection and Affordable Care Act which became effective March 23, 2010 amended the Fair Labor Standards Act to require employers to provide a nursing mother reasonable break time to express breast milk after the birth of her child. The law is enforced by the United States Department of Labor (DOL). "[An Act Establishing the Massachusetts Pregnant Workers Fairness Act](#)" (the "Act"), which went into effect on *April 1, 2018*, Massachusetts' anti-discrimination statute, Massachusetts General Laws, Chapter 151B, includes explicit protections for employees who are nursing mothers.

Under the Act, Massachusetts employers are required to engage in a timely, good faith interactive process with any worker who is pregnant or experiencing a condition related to pregnancy (including but not limited to lactation or the need to express milk for a nursing child) and requests an accommodation for this condition.

FPS shall provide to employees (who are not exempt from the FLSA) a reasonable amount of break time to express milk, as frequently as needed by the nursing mother. FPS recognizes that the frequency and duration of the breaks may vary. The location must be functional as a space for expressing milk. If the space is not dedicated to the nursing mother's use, it must be available when needed in order to meet the statutory requirement. The space, whether permanent or temporary, must be shielded from view and free from intrusion from co-workers and the public.

FPS is not required to compensate nursing mothers for breaks taken for the purpose of expressing milk. Where FPS already provides compensated breaks, an employee who uses that break time to express milk must be compensated in the same way that other employees are compensated for break time. In addition, the FLSA general requirement that the employee must be completely relieved from duty or else the time must be compensated as work time applies.

FPS does not consider nursing mother's break time to be FMLA leave or counted against an employee's FMLA leave entitlement as nursing is not considered a "serious health condition" under the FMLA per the DOL.

## **Employee Conduct & Disciplinary Action**

### **701 Employee Conduct and Work Rules**

To ensure orderly operations and provide the best possible work environment, FPS expects employees to follow rules of conduct that will protect the interests and safety of all employees and the FPS.

It is not possible to list all the forms of behavior that are considered unacceptable in the workplace. The following are examples of infractions of rules of conduct that may result in disciplinary action, up to and including termination of employment:

- \* Theft or inappropriate removal or possession of property
- \* Falsification of timekeeping records
- \* Working under the influence of alcohol or illegal drugs
- \* Possession, distribution, sale, transfer, or use of alcohol or illegal drugs in the workplace, while on duty, or while operating employer-owned vehicles or equipment
- \* Fighting or threatening violence in the workplace
- \* Boisterous or disruptive activity in the workplace
- \* Negligence or improper conduct leading to damage of employer-owned or customer-owned property
- \* Insubordination or other disrespectful conduct
- \* Violation of safety or health rules
- \* Smoking in prohibited areas
- \* Sexual or other unlawful or unwelcome harassment
- \* Possession of dangerous or unauthorized materials, such as explosives or firearms, in the workplace
- \* Excessive absenteeism or any absence without notice
- \* Unauthorized absence from work station during the workday
- \* Unauthorized use of telephones, mail system, or other employer-owned equipment

- \* Unauthorized disclosure of business "secrets" or confidential information
- \* Violation of personnel policies
- \* Unsatisfactory performance or conduct

Any consistent failure to meet the expectations in the policy should be written up. Progressive discipline should be employed: supervisors should begin with a conversation and follow up with a record of that conversation. If failure to adhere to school expectations persists, a faithful and consistent recording of such failure should occur by the supervisor and be followed by progressive discipline. Please consult with the Assistant Superintendent for Human Resources should any assistance be needed.

Any employee may voluntarily request to participate in the Employee Assistance Program (EAP), if they need assistance in dealing with a drug or alcohol problem. This program may be accessed confidentially by the employee. Please refer to the appropriate and relevant section of this handbook for clarification and assistance. If an employee chooses to notify FPS or requests assistance from the School Department regarding a drug or alcohol problem, such notice will not jeopardize their continued employment provided the employee stops the abuse and maintains appropriate job performance. While the Employee Assistance Program is a valuable resource in dealing with personal problems, participation in the program will not prevent disciplinary action for a violation of this policy.

All individuals, whether or not they are Framingham School employees, are subject to the provisions of Massachusetts General Laws, Chapter 272, Section 40A.

**Teachers with Professional Teacher Status.** Teachers with professional teacher status ("PTS") have certain statutory protections as delineated by the statutory language below.

**Mass. General Laws, Title XII, Chapter 71, Section 42: Dismissal or demotion of teachers or other employees of school or school district; arbitration.** A principal may dismiss or demote any teacher or other person assigned full-time to the school, subject to the review and approval of the superintendent; and subject to the provisions of this section, the superintendent may dismiss any employee of the school district. In the case of an employee whose duties require him to be assigned to more than one school, and in the case of teachers who teach in more than one school, those persons shall be considered to be under the supervision of the superintendent for all decisions relating to dismissal or demotion for cause.

A teacher who has been teaching in a school system for at least ninety calendar days shall not be dismissed unless he has been furnished with written notice of intent to dismiss and with an explanation of the grounds for the dismissal in sufficient detail to permit the teacher to respond and documents relating to the grounds for dismissal, and, if he so requests, has been given a reasonable opportunity within ten school days after receiving such written notice to review the decision with the principal or superintendent, as the case may be, and to present information pertaining to the basis for the decision and to the teacher's status. The teacher receiving such notice may be represented by an attorney or other representative at such a meeting with the principal or superintendent. Teachers without professional teacher status shall otherwise be deemed employees at will.

*A teacher with professional teacher status, pursuant to section forty-one, shall not be dismissed except for inefficiency, incompetency, incapacity, conduct unbecoming a teacher, insubordination or failure on the part of the teacher to satisfy teacher performance standards developed pursuant to section thirty-eight of this chapter or other just cause.*

A teacher with professional teacher status may seek review of a dismissal decision within thirty days after receiving notice of his dismissal by filing a petition for arbitration with the commissioner. The commissioner shall forward to the parties a list of three arbitrators provided by the American Arbitration Association. Each person on the list shall be accredited by the National Academy of Arbitrators. The parties each shall have the right to strike one of the three arbitrators' names if they are unable to agree upon a single arbitrator from amongst the three. The arbitration shall be conducted in accordance with the rules of the American Arbitration Association to be consistent with the provisions of this section. The parties each shall have the right to strike one of the three arbitrators' names if they are unable to agree upon a single arbitrator from amongst the three. The board of education shall determine the process for

selecting arbitrators for the pool. The fee for the arbitration shall be split equally between the two parties involved in the arbitration.

At the arbitral hearing, the teacher and the school district may be represented by an attorney or other representative, present evidence, and call witnesses and the school district shall have the burden of proof. In determining whether the district has proven grounds for dismissal consistent with this section, the arbitrator shall consider the best interests of the pupils in the district and the need for elevation of performance standards.

The arbitrator's decision shall be issued within one month from the completion of the arbitral hearing, unless all parties involved agree otherwise, and shall contain a detailed statement of the reasons for the decision. Upon a finding that the dismissal was improper under the standards set forth in this section, the arbitrator may award back pay, benefits, reinstatement, and any other appropriate non-financial relief or any combination thereof. Under no circumstances shall the arbitrator award punitive, consequential, or nominal damages, or compensatory damages other than back pay, benefits or reinstatement. In the event the teacher is reinstated, the period between the dismissal and reinstatement shall be considered to be time served for purposes of employment. The arbitral decision shall be subject to judicial review as provided in chapter one hundred and fifty C. With the exception of other remedies provided by statute, the remedies provided hereunder shall be the exclusive remedies available to teachers for wrongful termination. The rules governing this arbitration procedure shall be the rules of the American Arbitration Association as pertains to arbitration.

Neither this section nor section forty-one shall affect the right of a superintendent to lay off teachers pursuant to reductions in force or reorganization resulting from declining enrollment or other budgetary reasons. No teacher with professional teacher status shall be laid off pursuant to a reduction in force or reorganization if there is a teacher without such status for whose position the covered employee is currently certified. No teacher with such status shall be displaced by a more senior teacher with such status in accordance with the terms of a collective bargaining agreement or otherwise unless the more senior teacher is currently qualified pursuant to section thirty-eight G for the junior teacher's position.

Nothing in this section shall affect the right of a superintendent to lay off teachers pursuant to reductions in force or reorganization resulting from declining enrollment or other budgetary reasons. No teacher with professional teacher status shall be laid off pursuant to a reduction in force or reorganization if there is a teacher without such status for whose position the covered employee is currently certified or if there is a less qualified teacher with such status holding the same or similar position for which the covered employee is currently certified. No teacher with such status shall be displaced in accordance with the terms of a collective bargaining agreement or otherwise by a more senior teacher with such status unless the more senior teacher is currently certified pursuant to section 38G and is at least as qualified for the position as the junior teacher holding the position. The criteria for determining a qualified teacher under this paragraph shall be subject to the collective bargaining provisions of chapter 150E; provided, however, that any such collectively bargained for qualifications shall include, as the primary factors, indicators of job performance, including overall ratings resulting from comprehensive evaluations conducted consistent with section 38 and the best interests of the students in the school or district; and provided further, that for the purposes of this paragraph, no distinction shall be made between the overall performance ratings established by the board of elementary and secondary education finding that the teacher has met or exceeded acceptable performance standards developed under said section 38 and that are defined by the board as proficient and exemplary. The school committee and the collective bargaining representative may negotiate for seniority or length of service only as a tie-breaker in personnel actions under this paragraph among teachers whose qualifications are no different using the qualifications collectively bargained for in accordance with this paragraph.

**Reporting Illegal Acts and Disruptive Behavior.** All employees of the FPS are required to report any illegal act and/or disruptive behavior occurring on school property. The responsible administrator has the obligation to conduct an immediate investigation of the allegation and, upon verification of a criminal act and/or disruptive behavior, report in a manner consistent with procedures established by the Superintendent and/or School Committee to the appropriate law enforcement authorities.

**The Mandated Reporter Statute.** Under Massachusetts General Laws C.119 section 51A, a mandated reporter who has reasonable cause to believe that a child under the age of eighteen years is suffering physical or emotional injury resulting from abuse, including sexual abuse, or from neglect, shall immediately report such condition to DCF (Department of Children and Family Services) Mandated reporters include public and private school teachers, educational administrators, guidance or adjustment counselors, psychologists, attendance officers, social workers, day care providers, health care professionals, court and public safety officials. In schools, mandated reporters may either report directly to DCF or they may notify the person in charge of the school (or that person's designee), in which case that individual is responsible for making the oral and written report to DCF. The mandated reporter must make the report orally to DCF immediately, and then make a written report to DCF within 48 hours.

If you suspect that a child under the age of eighteen years is suffering physical or emotional injury resulting from abuse, including sexual abuse, or from neglect, please call, email, and/or text your supervisor immediately. If you do not receive a response, please follow up promptly.

**Reporting Child Abuse/Child Protection.** The policy of the FPS is to provide a healthy and safe environment in which students can learn and participate in all programs offered. This protocol for the FPS Crisis Intervention Team supports the school policy. This protocol describes procedures for staff to follow when a child's safety or health is considered at risk. This protocol ensures that essential information, relating to the suspicion that abuse or neglect has occurred, is correctly documented and, if necessary, reported to the Department of Children and Family Services (DCF) as mandated by MGL C.119 section 51A.

**Corporal Punishment.** Under M.G.L. 71 section 37g, the power of the School Committee or of any teacher or other employee or agent of the Committee to maintain discipline on school property shall not include the right to inflict physical punishment upon any student.

**Requirement to Report Educator Misconduct.** As a reminder, Massachusetts Superintendents are required to report to the Commissioner of Elementary and Secondary Education in writing whenever a licensed educator is dismissed, not renewed or resigns after committing misconduct that might warrant revocation or other limitation of the educator's license. The reporting requirement is designed to ensure that, as the licensing authority for Massachusetts educators, the Commissioner is made aware of misconduct that may call into question the "sound moral character" that state law requires of every licensed educator. The grounds that may trigger license action are set forth in the Educator Licensure Regulations at 603 CMR 7.14(8)(a)

The grounds include conviction of certain crimes, loss of another professional license, demonstrated unfitness, and gross misconduct or negligence in the conduct of the license holder's professional duties. Please note that the regulation does not require reporting of dismissals or non-renewals for reasons of poor job performance or other factors that do not implicate the grounds for license action in 603 CMR 7.14 (8)(a).

The state regulation, 603 CMR 7.14 (8)(h), reads as follows:

(h) Administrators' Obligation to Report. Any administrator who has dismissed, declined to renew the employment of, or obtained the resignation of any educator for any of the reasons cited in 603 CMR 7.14 (8) (a) shall report in writing such resignation or dismissal and the reason therefore to the Commissioner within 30 days. This obligation to report also applies when an administrator acquires relevant information after an educator's dismissal, resignation, or non-renewal. Failure to make such reports shall be grounds on which the Commissioner may revoke the administrator's license.

This reporting requirement is separate from the duty of a school administrator or other mandated reporter under the child abuse law, MGL c. 119, § 51A, to report suspected child abuse or neglect immediately to the Department of Children and Families (formerly called the Department of Social Services), regardless of whether the suspected perpetrator is an educator.

Please visit <http://www.mass.gov/ethics/> for more information on solicitation of funds. Any further questions or concerns should be directed to the Assistant Superintendent for Human Resources for clarification.

FPS School Committee Policy [File](#): GBEB | [STAFF CONDUCT](#)

FPS School Committee Policy [File](#): JKA | [CORPORAL PUNISHMENT](#)

FPS School Committee Policy [File](#): GBEC | [GIFTS TO AND SOLICITATIONS BY STAFF](#)

FPS School Committee Policy [File](#): JL | [STUDENT WELFARE](#)

### **702 Drug and Alcohol Use**

It is FPS's desire to provide a drug-free, healthful, and safe workplace. To promote this goal, employees are required to report to work in appropriate mental and physical condition to perform their jobs in a satisfactory manner.

While on FPS premises and while conducting business-related activities off FPS premises, no employee may use, possess, distribute, sell, or be under the influence of alcohol or illegal drugs. The legal use of prescribed drugs is permitted on the job only if it does not impair an employee's ability to perform the essential functions of the job effectively and in a safe manner that does not endanger other individuals in the workplace.

Violations of this policy may lead to disciplinary action, up to and including immediate termination of employment, and/or required participation in a substance abuse rehabilitation or treatment program. Such violations may also have legal consequences.

To inform employees about important provisions of this policy, FPS has established a drug-free awareness program. The program provides information on the dangers and effects of substance abuse in the workplace, resources available to employees, and consequences for violations of this policy.

Employees with questions or concerns about substance dependence or abuse are encouraged to use the resources of the Employee Assistance Program. They may also wish to discuss these matters with their supervisor or the Office of Human Resources to receive assistance or referrals to appropriate resources in the community.

Employees with drug or alcohol problems that have not resulted in, and are not the immediate subject of, disciplinary action may request approval to take unpaid time off to participate in a rehabilitation or treatment program through FPS's health insurance benefit coverage. Leave may be granted if the employee agrees to abstain from use of the problem substance; abides by all FPS policies, rules, and prohibitions relating to conduct in the workplace; and if granting the leave will not cause FPS any undue hardship.

Under the Drug-Free Workplace Act, an employee who performs work for a government contract or grant must notify FPS of a criminal conviction for drug-related activity occurring in the workplace. The report must be made within five days of the conviction.

Employees with questions on this policy or issues related to drug or alcohol use in the workplace should raise their concerns with their supervisor or the Office of Human Resources without fear of reprisal.

If an employee observes behavior, speech, appearance or odor that leads to a reasonable suspicion a colleague is under the influence of drugs or alcohol, please contact a supervisor immediately. The supervisor must then remove the employee from a setting that includes students. Once the employee is secluded in a separate room, contact the Assistant Superintendent for Human Resources right away. The Assistant Superintendent for Human Resources will contact any union assistance. Please do not ask the employee any questions without the presence of the Assistant Superintendent for Human Resources and union representation (where it is legally required).

While FPS recognizes that addiction may be an illness and will make reasonable accommodation to assist those employees who are seeking appropriate assistance to deal with their problems, it

nonetheless prohibits employees from reporting to work with any illegal drugs or alcohol in their systems. Employees who engage in these prohibited activities are subject to disciplinary action, including termination of employment.

FPS School Committee Policy [File: GBE | STAFF CONDUCT](#)

FPS School Committee Policy [File: GBED | TOBACCO AND/OR MARIJUANA USE ON SCHOOL PROPERTY BY STAFF MEMBERS](#)

FPS School Committee Policy [File: GBEC | DRUG-FREE WORKPLACE POLICY](#)

### **703 Sexual and Other Unlawful Harassment**

FPS is committed to providing a work environment that is free from all forms of discrimination and conduct that can be considered harassing, coercive, or disruptive, including sexual harassment. Actions, words, jokes, or comments based on an individual's sex, race, color, national origin, age, religion, disability, sexual orientation, or any other legally protected characteristic will not be tolerated. FPS provides ongoing sexual harassment training to ensure you the opportunity to work in an environment free of sexual and other unlawful harassment.

Sexual harassment is defined as unwanted sexual advances, or visual, verbal, or physical conduct of a sexual nature. This definition includes many forms of offensive behavior and includes gender-based harassment of a person of the same sex as the harasser. The following is a partial list of sexual harassment examples:

- \* Unwanted sexual advances
- \* Offering employment benefits in exchange for sexual favors
- \* Making or threatening reprisals after a negative response to sexual advances
- \* Visual conduct that includes leering, making sexual gestures, or displaying of sexually suggestive objects or pictures, cartoons or posters
- \* Verbal conduct that includes making or using derogatory comments, epithets, slurs, or jokes
- \* Verbal sexual advances or propositions
- \* Verbal abuse of a sexual nature, graphic verbal commentaries about an individual's body, sexually degrading words used to describe an individual, or suggestive or obscene letters, notes, or invitations
- \* Physical conduct that includes touching, assaulting, or impeding or blocking movements

Unwelcome sexual advances (either verbal or physical), requests for sexual favors, and other verbal or physical conduct of a sexual nature constitute sexual harassment when: (1) submission to such conduct is made either explicitly or implicitly a term or condition of employment; (2) submission or rejection of the conduct is used as a basis for making employment decisions; or, (3) the conduct has the purpose or effect of interfering with work performance or creating an intimidating, hostile, or offensive work environment.

If you experience or witness sexual or other unlawful harassment in the workplace, report it immediately to your supervisor. If the supervisor is unavailable or you believe it would be inappropriate to contact that person, you should immediately contact the Assistant Superintendent for Human Resources or any other member of management. You can raise concerns and make reports without fear of reprisal or retaliation.

All allegations of sexual harassment will be quickly and discreetly investigated. To the extent possible, your confidentiality and that of any witnesses and the alleged harasser will be protected against



unnecessary disclosure. When the investigation is completed, you will be informed of the outcome of the investigation.

Any supervisor or manager who becomes aware of possible sexual or other unlawful harassment must immediately advise the Assistant Superintendent for Human Resources or any member of management so it can be investigated in a timely and confidential manner. Anyone engaging in sexual or other unlawful harassment will be subject to disciplinary action, up to and including termination of employment.

In addition to the procedures noted in the Policy, please note that all supervisory personnel are responsible for ensuring that conduct between fellow employees does not descend to harassment or discrimination. Supervisors (to include Department Heads) may be personally liable if they knew or should have known about incident of harassment or discrimination and did not take appropriate corrective action. Any Supervisor or Department Head upon learning of a harassment complaint within their office, building, or department will notify the Assistant Superintendent for Human Resources. This notification does not prevent the supervisor, Department Head, or building administrator from initiating and conducting an internal investigation.

All types of supervisors must take all steps necessary to prevent harassment from occurring.

Such steps include:

- Monitor the workplace to prevent and detect harassment or discrimination;
- Take appropriate corrective action to stop all types of harassment or discrimination;
- Assist any employee in filing a complaint, or obtaining information on the the School District's Harassment Policy;
- Immediately report incidents of harassment or discrimination to a supervisor; and
- Encourage participation in diversity education.

The Office of Human Resources is available for assistance in education, mediation, and discipline.

All employees

- Shall not engage in harassing or discriminatory behavior
  - Shall cooperate in investigations of harassment and discrimination
  - Shall participate in the City's efforts to prevent and eliminate harassment and discrimination
- Employees may be personally liable if they engage in harassing or discriminatory behavior.

#### **Harassment Complaint Procedures:**

If any employee believes that he or she has been subjected to harassment, the employee has a right to file a complaint with the Office of Human Resources. This may be done in writing or orally. To file a complaint you must contact: Assistant Superintendent for Human Resources, Framingham Public Schools, 73 Mt. Wayte Avenue, Suite #5, Framingham, MA 01702, PH: 508-626-9107, FAX: 508-877-4048.

FPS School Committee Policy [File: ACA | NONDISCRIMINATION ON THE BASIS OF SEX](#)

FPS School Committee Policy [File: ACAB | POLICY AND GRIEVANCE PROCEDURES FOR DISCRIMINATION, INCLUDING HARASSMENT AND RETALIATION](#)

#### **704 Attendance and Punctuality**

To maintain a safe and productive work environment, FPS expects employees to be reliable and to be punctual in reporting for scheduled work. Absenteeism and tardiness place a burden on other employees and on FPS. In the rare instances when employees cannot avoid being late to work or are unable to work as scheduled, they should notify their supervisor as soon as possible in advance of the anticipated tardiness or absence.

Poor attendance and excessive tardiness are disruptive to the school environment and to student learning. Either may lead to disciplinary action, up to and including termination of employment.

### **705 Personal Appearance**

Dress, grooming, and personal cleanliness standards contribute to the morale of all employees and affect the business image FPS presents to the community.

During business hours or when representing FPS, you are expected to present a clean, neat, and tasteful appearance. You should dress and groom yourself according to the requirements of your position and accepted social standards.

Your supervisor or department head is responsible for establishing a reasonable dress code appropriate to the job you perform. If your supervisor feels your personal appearance is inappropriate, you may be asked to leave the workplace until you are properly dressed or groomed. Under such circumstances, you will not be compensated for the time away from work. Consult your supervisor if you have questions as to what constitutes appropriate appearance. Where necessary, reasonable accommodation may be made to a person with a disability.

Without unduly restricting individual tastes, the following personal appearance guidelines should be followed (this is not a comprehensive list):

- \* Exposing tank tops, tube or halter tops, or shorts may not be worn under any circumstances.
- \* Offensive body odor and poor personal hygiene is not professionally acceptable.
- \* Perfume, cologne, and aftershave lotion should be used moderately or avoided altogether, as some individuals may be sensitive to strong fragrances.

### **706 Return of Property**

Employees are responsible for items issued to them by FPS or in their possession or control.

All FPS property must be returned by employees on or before their last day of work. Where permitted by applicable laws, FPS may withhold from the employee's check or final paycheck the cost of any items that are not returned when required. FPS may also take all action deemed appropriate to recover or protect its property.

### **708 Resignation**

Resignation is a voluntary act initiated by the employee to terminate employment with FPS. All voluntary employment terminations initiated by an employee require the employee to provide the district with at least 30 days written notice of an intent to resign by contacting the supervisor or the Office of Human Resources. Failure to abide by the notice provisions may result in the district reporting the employee to DESE in the case of an educator.

Prior to an employee's departure, an exit interview will be offered to discuss the reasons for resignation and the effect of the resignation on benefits.

If an employee does not provide advance notice as requested, the employee will be considered ineligible for rehire.

### **710 Security Inspections**

FPS wishes to maintain a work environment that is free of illegal drugs, alcohol, firearms, explosives, or other improper materials. To this end, FPS prohibits the possession, transfer, sale, or use of such materials on its premises. FPS requires the cooperation of all employees in administering this policy.

Desks, lockers, and other storage devices may be provided for the convenience of employees but remain the sole property of FPS. Accordingly, they, as well as any articles found within them, can be inspected by any agent or representative of FPS at any time, either with or without prior notice.

FPS likewise wishes to discourage theft or unauthorized possession of the property of employees, FPS, visitors, and students. To facilitate enforcement of this policy, FPS or its representative may inspect not only desks and lockers but also persons entering and/or leaving the premises and any packages or other belongings. Any employee who wishes to avoid inspection of any articles or materials should not bring such items onto FPS's premises.

FPS School Committee Policy File: DM | LEAVING MONEY AND PERSONAL VALUABLES IN SCHOOL BUILDINGS

### **712 Solicitation**

In an effort to ensure a productive and harmonious work environment, persons not employed by FPS may not solicit or distribute literature in the workplace at any time for any purpose.

FPS recognizes that employees may have interests in events and organizations outside the workplace. However, employees may not solicit or distribute literature concerning these activities during working time. Working time does not include lunch periods, work breaks, or any other periods in which employees are not on duty.

In addition, the posting of written solicitations on company bulletin boards is restricted. If employees have a message of interest to the workplace, they may submit it to the supervisor for approval. All approved messages will be posted by the supervisor.

FPS School Committee Policy File: GBEC | GIFTS TO AND SOLICITATIONS BY STAFF

FPS School Committee Policy File: JP | STUDENT GIFTS

FPS School Committee Policy File: KHA | PUBLIC SOLICITATION IN THE SCHOOLS

### **714 Drug Testing**

FPS is committed to providing a safe, efficient, and productive work environment for all employees. Using or being under the influence of drugs or alcohol on the job may pose serious safety and health risks. To help ensure a safe and healthful working environment, employees may be asked to provide body substance samples (such as urine and/or blood) to determine the illicit or illegal use of drugs and alcohol. Refusal to submit to drug testing may result in disciplinary action, up to and including termination of employment.

The Employee Assistance Program (EAP) provides confidential counseling and referral services to employees for assistance with such problems as drug and/or alcohol abuse or addiction. It is the employee's responsibility to seek assistance from the EAP prior to reaching a point where his or her judgment, performance, or behavior has led to imminent disciplinary action. Participation in the EAP after the disciplinary process has begun may not preclude disciplinary action, up to and including termination of employment.

### **716 Progressive Discipline**

The purpose of this policy is to state FPS's position on administering equitable and consistent discipline for unsatisfactory conduct in the workplace. The best disciplinary measure is the one that does not have to be enforced and comes from good leadership and fair supervision at all employment levels.

FPS's own best interest lies in ensuring fair treatment of all employees and in making certain that disciplinary actions are prompt, uniform, and impartial. The major purpose of any disciplinary action is to correct the problem, prevent recurrence, and prepare the employee for satisfactory service in the future.

In the absence of collective bargaining agreement provisions, although employment with FPS is based on mutual consent and both the employee and FPS have the right to terminate employment at-will when dealing with at-will employees, with or without cause or advance notice, FPS may use progressive discipline at its discretion. When dealing with members of a collective bargaining unit, supervisors must make sure to have a union representative in any conversation and/or meeting that may result in disciplinary action.

Disciplinary action may call for any of four steps -- verbal warning, written warning, suspension (with or without pay), or termination of employment -- depending on the severity of the problem and the number of occurrences. There may be circumstances when one or more steps are bypassed.

Progressive discipline means that, with respect to most disciplinary problems, these steps will normally be followed: a first offense may call for a verbal warning; a next offense may be followed by a written warning; another offense may lead to a suspension; and, still another offense may then lead to termination of employment.

FPS recognizes that there are certain types of employee problems that are serious enough to justify either a suspension, or, in extreme situations, termination of employment, without going through the usual progressive discipline steps.

By using progressive discipline, we hope that most employee problems can be corrected at an early stage, benefiting both the employee and FPS.

### **718 Problem Resolution**

FPS is committed to providing the best possible working conditions for its employees. Part of this commitment is encouraging an open and frank atmosphere in which any problem, complaint, suggestion, or question receives a timely response from FPS supervisors and management.

FPS strives to ensure fair and honest treatment of all employees. Supervisors, managers, and employees are expected to treat each other with mutual respect. Employees are encouraged to offer positive and constructive criticism.

If employees disagree with established rules of conduct, policies, or practices, they can express their concern through the problem resolution procedure. No employee will be penalized, formally or informally, for voicing a complaint with FPS in a reasonable, business-like manner, or for using the problem resolution procedure.

Different collective bargaining agreements include various grievance processes. Please consult your collective bargaining agreement to adhere to the necessary procedures and deadlines.

Not every problem can be resolved to everyone's total satisfaction, but only through understanding and discussion of mutual problems can employees and management develop confidence in each other. This

confidence is important to the operation of an efficient and harmonious work environment, and helps to ensure everyone's job security.

In general, at a grievance meeting, the grievant should be represented by a union official. A meeting should always be held with a grievant within the allowed time schedule. The administrator against whom the grievance has been made should use the meeting time to collect information, gather facts, and ask probing questions that yield more information. A grievance hearing should not be a contentious exchange.

Following the meeting, a ruling should be made in writing in a timely fashion per the collective bargaining agreements so that, if needed, the grievance can move on to the next phase. For further directions, please contact the Office of Human Resources.

FPS School Committee Policy [File](#): GBK | [STAFF COMPLAINTS AND GRIEVANCES](#)

## **720 Casual Days**

The following information is intended to serve as a guide to help define appropriate casual business wear for all employees during designated casual days at FPS. Unless otherwise indicated by your supervisor, each Friday will be a designated casual day. Other days, such as certain holidays or days preceding holidays, may be designated as casual days with prior notification from your immediate supervisor.

Our primary objective is to have employees project a professional image while taking advantage of more casual and relaxed fashions. Casual dress offers a welcome alternative to the formality of typical business attire.

However, not all casual clothing is appropriate for work. Casual business wear means clean, neat, professional clothing. It is never appropriate to wear stained, wrinkled, frayed, or revealing clothing to the workplace. If you are considering wearing something and you are not sure if it is acceptable, choose something else or inquire first.

Listed below is a general overview of acceptable casual business wear as well as a listing of some of the more common items that are not appropriate for work. Obviously, neither group is intended to be all inclusive. Rather, these items should help set the general parameters for proper casual business wear and allow you to make intelligent judgments about items that are not specifically addressed.

Examples of acceptable casual business wear include:

- \* slacks
- \* casual dresses and skirts
- \* casual shirts and blouses
- \* golf shirts
- \* deck shoes
- \* dress sandals

Examples of inappropriate clothing items that should not be worn on casual days include:

- \* short shorts or mini skirts
- \* T-shirts or sweatshirts with offensive messages or images
- \* halter tops
- \* slippers

Always remember that you are representing FPS and the students we serve.

## **722 Workplace Etiquette**

FPS strives to maintain a positive work environment where employees treat each other with respect and courtesy. Sometimes issues arise when employees are unaware that their behavior in the workplace may be disruptive or annoying to others. Many of these day-to-day issues can be addressed by politely talking with a co-worker to bring the perceived problem to his or her attention. In most cases, common

sense will dictate an appropriate resolution. FPS encourages all employees to keep an open mind and graciously accept constructive feedback or a request to change behavior that may be affecting another employee's ability to concentrate and be productive.

The following workplace etiquette guidelines are not necessarily intended to be hard and fast work rules with disciplinary consequences. They are simply suggestions for appropriate workplace behavior to help everyone be more conscientious and considerate of co-workers and the work environment. Please contact the supervisor if you have comments, concerns, or suggestions regarding these workplace etiquette guidelines.

- \* Return copy machine and printer settings to their default settings after changing them.
- \* Replace paper in the copy machine and printer paper trays when they are empty.
- \* Retrieve print jobs in a timely manner and be sure to collect all your pages.
- \* Be prompt when using the manual feed on the printer.
- \* Keep the area around the copy machine and printers orderly and picked up.
- \* Be careful not to take or discard others' print jobs or faxes when collecting your own.
- \* Avoid public accusations or criticisms of other employees. Address such issues privately with those involved or your supervisor.
- \* Try to minimize unscheduled interruptions of other employees while they are working.
- \* Be conscious of how your voice travels, and try to lower the volume of your voice when talking on the phone or to others in open areas.
- \* Keep socializing to a minimum, and try to conduct conversations in areas where the noise will not be distracting to others.
- \* Refrain from using inappropriate language (swearing) that others may overhear.
- \* Avoid discussions of your personal life/issues in public conversations that can be easily overheard.
- \* Monitor the volume when listening to music, voice mail, or a speakerphone that others can hear.
- \* Clean up after yourself and do not leave behind waste or discarded papers.

### **Miscellaneous**

#### **800 Life-Threatening Illnesses in the Workplace**

Employees with life-threatening illnesses, such as cancer, heart disease, and AIDS, often wish to continue their normal pursuits, including work, to the extent allowed by their condition. FPS supports these endeavors as long as employees are able to meet acceptable performance standards. As in the case of other disabilities, FPS will make reasonable accommodations in accordance with all legal requirements, to allow qualified employees with life-threatening illnesses to perform the essential functions of their jobs.

Medical information on individual employees is treated confidentially. FPS will take reasonable precautions to protect such information from inappropriate disclosure. Managers and other employees have a responsibility to respect and maintain the confidentiality of employee medical information. Anyone inappropriately disclosing such information is subject to disciplinary action, up to and including termination of employment.

An employee with an acute, common communicable disease shall not report to work during the period of time in which they are contagious/infectious. The district reserves the right to require a physician's statement prior to the employee's return to work.

Any employee who becomes aware that they have a long-term, communicable disease, which, although life-threatening, poses little risk of transmission in a school setting, is encouraged to report to a designated school administrator that they are afflicted with the disease. In all instances, district personnel shall respect the individual's right to privacy and treat any medical diagnosis as confidential information. Special precautions should be taken to protect information regarding an employee's health

condition in order to prevent instances of disclosure that may invade the personal privacy of the employee.

The school district shall endeavor to treat these employees in a fair, non-discriminatory, and confidential manner consistent with the district's legal obligations. Federal and state law mandate, pursuant to provisions protecting handicapped individuals, that such employees shall not be discriminated against on the basis of their handicaps and that, if it becomes necessary, some reasonable accommodations be made to enable qualified individuals to continue work.

Employees with questions or concerns about life-threatening illnesses are encouraged to contact the Department of Health and Wellness or FPS's Employee Assistance Program for information and referral to appropriate services and resources.

FPS School Committee Policy [File](#): GBGB | [STAFF PERSONAL SECURITY AND SAFETY](#)

### **801 Animals in the Workplace**

This policy provides for the health and safety of students and employees as well as facilities by restricting animals in the workplace as follows:

- Unauthorized animals are not permitted in any area within the workplace, including the parking lots and grounds.
- Employees and visitors are reminded that bringing a pet to work and leaving them in a car is neither appropriate, nor safe and is prohibited in some jurisdictions.
- In order to accommodate individuals with disabilities, service animals are expressly permitted in all areas in the workplace.
- Employees who are in need of a service animal must obtain authorization through the job accommodation process prior to bringing the animal to the worksite.
- Instructional program animals (such as Fidelco dogs) will be permitted on a limited case-by-case basis, and only if approved in advance by the building administrator.
- In cases where animals are allowed, they must be clean, trained, well-behaved, non-aggressive, and they are to be leashed and kept under control at all times.
- It is the animal owner's responsibility to ensure that animals relieve themselves outside and owners should not call upon co-workers or staff.
- Individuals are reminded not to touch, feed or pet a service animal when the animal is working as it distracts the animal from the task at hand.

FPS School Committee Policy [File](#): IMG | [ANIMALS IN SCHOOL](#)

### **802 Recycling**

FPS supports environmental awareness by encouraging recycling and waste management in its business practices and operating procedures. This support includes a commitment to the purchase, use, and disposal of products and materials in a manner that will best utilize natural resources and minimize any negative impact on the earth's environment.

Special recycling receptacles have been set up to promote the separation and collection of the following recyclable materials at FPS: computer paper, white high grade or bond paper, mixed or colored paper, newspaper, brown paper bags, plastics, printer cartridges, etc.

The simple act of placing a piece of paper, can, or bottle in a recycling container is the first step in reducing demand on the earth's limited resources. Success of this program depends on active participation by all of us. Employees are encouraged to make a commitment to recycle and be a part of this solution.

FPS encourages reducing and, when possible, eliminating the use of disposable products. Source reduction decreases the consumption of valuable resources through such workplace practices as:

- \* communication through computer networks with email
- \* posting memos for all employees
- \* two-sided photocopying
- \* computerized business forms
- \* routing slips for reports
- \* minimum packaging
- \* eliminating fax cover sheets
- \* reusing paper clips, folders, and binders
- \* reusing packaging material
- \* reusing wooden pallets
- \* turning off lights when not in use
- \* keep all windows closed
- \* use day-lighting rather than lights when possible

Whenever possible, employees of FPS are encouraged to purchase products for the workplace that contain recycled or easily recyclable materials. Buying recycled products supports recycling and increases the markets for recyclable materials.

Reminder: Buildings close at 6:00 PM (some exceptions) and small appliances, refrigerators, heaters, coffee-makers, etc., are not allowed in classrooms.

### **Employee Acknowledgement Form**

The employee handbook describes important information about FPS, and I understand that I should consult the Office of Human Resources regarding any questions not answered in the handbook.

Since the information, policies, and benefits described here are necessarily subject to change, I acknowledge that revisions to the handbook may occur. All such changes will be communicated through official notices, and I understand that revised information may supersede, modify, or eliminate existing policies. Only the Superintendent of Schools and/or School Committee has the ability to adopt any revisions to the policies in this handbook.

Furthermore, **I acknowledge that this handbook is neither a contract of employment nor a legal document. The handbook is not a contract. In the event that any information contained in this handbook conflicts with federal or state law or negotiated collective bargaining agreements, it is superseded by those documents.** This handbook makes no guarantees of employment, compensation, or benefits, and the Superintendent and/or School Committee reserve the right to make changes in the policies and practices at any time at their sole discretion, and interpret and administer the policies in light of changing circumstances and events.

I have received the handbook, and I understand that it is my responsibility to read and comply with the policies contained in this handbook and any revisions made to it.