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HUMAN RESOURCES AUDIT REPORT LUDLOW, MASSACHUSETTS

EDWARD J. COLLINS, JR. CENTER FOR PUBLIC MANAGEMENT

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INTRODUCTION

The Collins Center for Public Management was engaged by the Town of Ludlow to conduct a basic human resources audit. (Audit). The Audit was commissioned to document the current state of the human resources systems, staffing, policies and practices. The purpose of the Audit is also to identify areas of deficit, policies to be adopted and provide recommendations for improvement.

METHODOLOGY

The methodology utilized was interviews with key personnel, including the Town Administrator, Human Resources Manager, the Treasurer, the Director of Public Works, the Fire Chief, the Police Chief, and the Director of Operations/Asst. Business Manager. The Collins Center Project Manager also attended a meeting of the Personnel Board to discuss the project and receive input regarding human resources procedures, the town Bylaws as they relate to human resources and the role of the Personnel Board itself. In addition to the interviews, there was an extensive review of existing policies, procedures and By-laws.

SUMMARY OF FINDINGS AND RECOMMENDATIONS

The Town of Ludlow is well on its way to transitioning to a centralized human resources function. The first step occurred in 2014 when Town Meeting voted to create a Human Resources Manager position. Since then, significant strides haven been made in improving the Town's human resources systems.

The Collins Center recommendations are in support of the efforts already endorsed by Town Meeting and becoming a reality through the cooperative efforts of the Town Administrator, Human Resource Manager, department heads, Personnel Board and all appointing authorities.

The Collins Center primary recommendations are:

- Modify the Bylaws to reflect a centralized human resources function under the authority of the Board of Selectmen by changing the Personnel Policy Bylaw book from a Bylaw to a Personnel Policy Manual under the authority of the Board of Selectmen;
- Continue to transition to a centralized human resources function, including the centralization of all personnel records, leave administration and human resources systems management;
- Modify and clarify the roles and responsibilities of the Personnel Board, removing the responsibility of personnel records, performance evaluation, and step increases and clarifying the role of the Personnel Board as advisory to the Human Resources Manager, Town Administrator and Board of Selectmen on matters of policy; and

- Address the findings and recommendations regarding various human resource functions and personnel policies contained within this Report.

ORGANIZATIONAL STRUCTURE AND BYLAW AUTHORITY

The Town of Ludlow has a five member Board of Selectmen, a Town Administrator, a Human Resources Manager, an elected Treasurer and an appointed Personnel Board who hold the primary responsibilities for human resources management.

Town Administrator

Chapter 2 of the Town's Bylaws articulate the responsibilities of the Town Administrator.

Powers and Duties

Appointment, Qualifications of the Town Administrator: The Board of Selectmen shall appoint a Town Administrator and shall annually appraise the performance of the Town Administrator. The Town Administrator shall be a person of proven administrative ability, especially qualified by education and experience. The Board of Selectmen may from time to time establish such additional qualifications as deemed necessary and appropriate.

Relationship of the Board of Selectmen and Town Administrator: The Town Administrator shall be the primary officer responsible for the implementation of policy directives and guidelines adopted by the Board of Selectmen. The daily administration of the affairs of the town shall be the responsibility of the Town Administrator.

General Responsibilities of the Town Administrator: The Town Administrator shall be the chief administrative officer of the town, shall act as the agent for the Board of Selectmen and shall be responsible to the Board of Selectmen for the proper operation of town affairs for which the Town Administrator is given responsibility under the provisions of this Article. The Town Administrator, under the policy direction of the Board of Selectmen, shall supervise, direct and be responsible for the efficient administration of all officers appointed by the Board of Selectmen and their respective departments and of all functions for which the Town Administrator is given responsibility, authority or control by this Article, by By-Law, by Town Meeting vote, or by vote of the Board of Selectmen. The Town Administrator shall have the power to delegate, authorize or direct any subordinate or employee of the town to exercise any power, duty or responsibility which the office of town Administrator is authorized to exercise under this Article. All actions that are performed under such delegation shall be deemed to be the actions of the Town Administrator.

Administrative Powers and Duties: The Town Administrator shall be the administrative officer of the town and shall be responsible to the Board of Selectmen for the proper operation of town affairs for which the Town Administrator is given responsibility under this Article. The powers, duties and responsibilities of the Town Administrator shall include, but are not intended to be limited to, the following:

- a. To supervise, direct and be responsible for the efficient administration of all officers appointed by the Board of Selectmen and their respective departments, and of all functions for which the Town Administrator is given responsibility, authority or control by this Article, by By-Law, by Town Meeting vote, or by vote of the Board of Selectmen;*
- b. To administer and enforce either directly or through a person or persons supervised by the Town Administrator, in accordance with this Article, all provisions of the laws of the Commonwealth or special laws applicable to the town, all By-Laws, and all regulations established by the Board of Selectmen.*
- c. To addend all regular and special town meetings of the Board of Selectmen, unless excused;*
- d. To attend all sessions of the town meeting and to answer all questions addressed to the Town Administrator and which are related to the warrant articles and to matters under the general supervision of the Town Administrator;*
- e. To keep the Board of Selectmen fully informed as to the needs of the town, and to recommend to the Selectmen for adoption such measures requiring action by them or by the town as the Town Administrator deems necessary or expedient;*
- f. To ensure that complete and full records of the financial and administrative activity of the town are maintained and to render reports to the Board of Selectmen as may be required; 2-14*
- g. To be responsible for the rental, use, maintenance, repair and the development of a comprehensive maintenance program for all town facilities, except those under the jurisdiction of the School Committee, Board of Public Works and Library Trustees.*
- h. To serve as the Chief Procurement Officer and be responsible for the purchase of all supplies, materials, and equipment, except books and other educational materials for schools and approve the award of all contracts for all town departments;*

ii. To develop and maintain a full and complete inventory of all town owned real and personal property;

j. To administer personnel policies, practices, or rules and regulations and any compensation plan and any related matters for all municipal employees and to administer all collective bargaining agreements, except for School Department agreements entered into by the town;

k. To be responsible for the negotiation of all contracts with town employees over wages, and other terms and conditions of employment, except employees of the School Department. Contracts shall be subject to the approval of the "Board of Selectmen".

l. To prepare and submit an annual operating budget and capital improvements program;

m. To share with the Board of Selectmen and the Finance Committee any information obtained by the Town Administrator as to the financial condition of the Town.

n. To investigate or inquire into the affairs of any town department or office;

o. To delegate, authorize or direct any subordinate or employee of the town to exercise any power, duty, or responsibility which the office of Town Administrator is authorized to exercise, provided that all acts that are performed under such delegation shall be deemed to be the acts of the Town Administrator;

p. To perform such other duties as necessary or as may be assigned by this Article, by By-Law, by Town Meeting vote or by vote of the Board of Selectmen.

The Bylaw places the responsibility of the majority of human resources for the Town in the hands of the Town Administrator. However, in 2014, Town Meeting voted to create the position of Human Resources Manager to strengthen the Town's human resources function.

Human Resources Manager

The Town Meeting Article establishing the Human Resources Manager contained the following language justifying the need for and explaining the responsibilities of the proposed Human Resources Manager:

As the Town has continually grown, so has the number of employees working for it and all human resource responsibilities are currently handled by several different departments. Over the past several years, it has become apparent that one department should be responsible for most aspects of personnel which require the need for a Human

Resources Manager. A Manager would consolidate these duties into one centralized department which would streamline operations and record keeping as well as ensuring compliance with all Federal, State and local personnel laws and regulations including, at a minimum, FMLA, FLSA, OSHA, Workers Compensation, and Employee Benefits including group health insurance, life insurance, COBRA, and HIPPA, which would be a substantial benefit to the Town.

The Human Resources Manager would perform a variety of routine and complex administrative, technical and professional work in analyzing and administering all components of the personnel system and in coordinating the rights of all employees of the Town of Ludlow; participate in all collective bargaining negotiations, work with and advocate for the fair and equal employment practices, civil rights, and nondiscriminatory treatment of all individuals including assuring disability access and other related services. See attached job description.

Personnel Board

The Bylaws of the Town of Ludlow, Chapter VII contains the Town's Personnel Policy. The Bylaw refers to the "separate book" which is known as the Town of Ludlow Bylaw Regulating Salaries and Wages, or as abbreviated the "Personnel Policy".

The Personnel Policy, Section 3, Personnel Board, defines the composition, authority and duties of the Personnel Board.

3.2 ADMINISTRATIVE AUTHORITY. It shall be the responsibility of the Personnel Board to ensure that the Town maintains an effective personnel system, to monitor the implementation of the Town's Personnel Bylaw, and to prepare an annual report for presentation to the Town Meeting.

3.3 RECLASSIFICATION. The Board shall, at least once a year, review the job descriptions and salaries of all positions which are subject to the provisions of this Bylaw and make whatever recommendations which it deems necessary in terms of reclassification.

3.4 STEP INCREASE. The Board shall, upon receipt of a written recommendation from the Department Head that the employee is performing at an acceptable level as demonstrated in the performance appraisal system, award a step increase to the next step on the approved pay scale to applicable full-time and part-time employees annually. Step increases based upon satisfactory performance evaluations would normally occur annually thereafter until that employee reaches the maximum step on that pay range.

3.5 BYLAW AMENDMENTS. The Personnel Board may, at its own option, propose amendments to this Bylaw as it deems necessary to the Annual Town Meeting and/or Special Town Meeting and forward such amendments to the Finance Committee for their recommendations.

3.6 ACCESS TO INFORMATION. The Personnel Board shall, except as otherwise provided by law, have access to all facts, figures, records and other information relating to the personnel of Town departments which shall be furnished to them by those departments whenever so requested by the Personnel Board.

The Personnel Policy, Section 4, Personnel Records, places the responsibility of personnel records on the Personnel Board and describes what should be contained in the records and who has access to the records.

4.1 CENTRALIZED RECORD KEEPING. The Personnel Board shall be responsible for establishing and maintaining centralized personnel records as may be required by law and which are necessary for effective personnel management. All employees of departments other than the school department shall comply with and assist in furnishing records, reports, and information as may be requested by the Personnel Board.

CURRENT DEPARTMENTAL RESPONSIBILITY FOR HUMAN RESOURCES FUNCTIONS

Most departments and employees of the Town are appointed by the Board of Selectmen. However, other elected entities or individuals have different appointing authorities, including the Board of Assessors, Board of Public Works; Planning Board, Housing Authority, Recreation Commission, Library Board of Trustees, Board of Health, Collector, Treasurer and Town Clerk.

The following Chart identifies which Ludlow department is responsible for various human resources functions. Some of the functions under the responsibility of the Town Administrator also are performed by department heads and appointing authorities.

Town Administrator (including HR Manager)	Treasurer
<ul style="list-style-type: none">• Position Descriptions• Classification Plan• Performance evaluation• Recruitment & Selection• Leave administration• Unemployment• Policy development, implementation and administration• Workers Compensation• Injured on Duty• Employee relations• Labor Relations	<ul style="list-style-type: none">• Personnel Records• Payroll Processing• Benefits Administration

The Town has been in a period of transition since the creation and filling of the Human Resources Manager position. The Human Resources Manager is appointed by the Board of Selectmen and is under the direction of the Town Administrator. The approved position description for the Human Resources Manager places the responsibility of Ludlow's human resources program including, but not limited to, recruitment; pre-employment screening and background checks; compensation; benefits; personnel policies; employee development and training; compliance with applicable state, federal, local laws and regulations; assistance with collective bargaining agreements, serving as an internal consultant and advising departments on HR issues, with the Human Resources Manager. (Position description attached)

DISCUSSION OF BYLAWS, ORGANIZATIONAL STRUCTURE AND RESPONSIBILITIES

As communities and personnel issues have grown more complex, the responsibilities of town administration have also changed, expanded and placed more federal and state compliance demands on municipalities. As such, many municipalities have encountered difficulties in keeping up with the legal requirements of employment, benefit and labor laws while adhering to Personnel Bylaws, which can be cumbersome, particularly in the fast-changing human resources landscape. Employment laws, state and federal mandates and the changing workforce have necessitated municipalities to be more flexible and able to make policy changes in an efficient manner.

The Town of Ludlow recognized these very issues and the importance of a centralized human resources function when it created the position of Human Resources Manager, but did not modify the language in the Town's Bylaws. The Collins Center recommends the Town modify its Personnel Bylaws to reflect the actions and intentions of the Town Meeting with respect to human resources systems and administration.

The Bylaws relating the Personnel Board are outdated, not being followed and in some cases contrary to best practices and in conflict with the intent of the creation of the Human Resources Manager position. The Personnel Board has become a "rubber stamp" on step increases and spends much of its time acting on unnecessary items. The Bylaws indicate the Personnel Board is the keeper of personnel records and responsible for the performance evaluation system, which is not and should not be the case. Employment laws and record keeping requirements have become stringent, particularly with respect to employee rights, record maintenance requirements and privacy laws. A volunteer board should not have anything to do with such things, which explains why Town Meeting voted for creating a Human Resources Manager. However, the Bylaw language relating to the Personnel Board was not changed.

RECOMMENDATION TO CHANGE BYLAWS

Chapter II of the Bylaws already designates the Town Administrator as having the responsibility for much of the human resources functions for the Town and provides for the delegation of any responsibilities to another position, which is the Human Resources Manager.

It is recommended that Chapter VII or the Personnel Policy Book be removed in its entirety and maintained as a Personnel Policy Manual under the authority of the Board of Selectmen and administered by the Town Administrator or designee (Human Resources Manager). The Personnel Policy Manual should mirror the provisions of the existing Chapter VII. Matters relating to cost and budget would still remain the responsibility of the Town Meeting but the approval of administrative policies should be the responsibility of the Board of Selectmen. As with any action of the Board of Selectmen, any policies would need to be presented to the Board of Selectmen and voted publicly.

The Town should work with Town Counsel on the specific language changes to the Bylaws necessary for changing from a Personnel Policy Book of Bylaws to a Personnel Policy Manual.

The Personnel Board should be maintained as advisory to the Human Resources Manager, Town Administrator and Board of Selectmen. The duties contained in the existing Bylaws should be eliminated for they are outdated and not necessary. The Personnel Board responsibilities should be to advise on policies and procedures and should not have authority for personnel records, step increases, employee evaluation or other administrative human resource functions.

With the complex liability issues involving employment, medical and union issues, it is important for the Town's administration to have responsibility for centralized human resources.

COMPLIANCE ASSESSMENT

The Collins Center conducted an extensive review of Ludlow's policies and procedures for all aspects of human resources, with particular attention being paid to issues surrounding compliance with state and federal laws. In general, Ludlow meets the requirements and standards for compliance with employment laws and human resources practices. The following is a summary of findings and recommendations.

Position Descriptions & Classification

Position descriptions are dispersed throughout the organization and often maintained by individual departments. It is important for position descriptions to be uniform in format and should be centrally maintained. It is recommended the Human Resources Manager be responsible for maintaining the official position description for all positions.

The Collins Center understands that the Town conducted a classification study a number of years ago. The position descriptions should be revisited, updated and finalized. Positions not included in the classification should have a review to ensure they are accurate.

While some positions are elected or not under the authority of the Board of Selectmen, the liability for not having accurate and standard position descriptions falls upon the Town itself and as such the Town should be the keeper of these records.

Recruitment

The Town has implemented a hiring process whereby departments notify the Human Resources Manager when a position needs to be filled. The Human Resources Manager advertises, accepts applications and works with departments to fill positions.

The Town should create a system of documenting each recruitment by creating a filing system that contains all information and documentation regarding each search such as postings, applications, resumes, interview questions, selection documentation and references.

Internal & External Job Posting & Advertising Requirements

The Town has a decentralized hiring process. While it has improved with the creation of the Human Resources Manager position, improvement is needed. Even though all positions are not under the authority of the Board of Selectmen, the hiring of all employees should be centralized through the Human Resources Manager for consistency, tracking, and equal opportunity reasons. The Town is the employer and as such should have a consistent, centralized and documented recruitment procedure.

Employment Applications

Since the hiring of the Human Resources Manager, the Town has adopted a uniform employment application that is required of all applicants. The recently adopted application should be used for all recruitments, even if a resume is submitted. It is important to obtain standard information on each applicant and require a signature of the applicant attesting that the information contained in the application is true and accurate.

Screening Applicants

The Town does not have a consistent practice for screening applicants. In recent months, efforts have been made to centralize the receipt of all applications with the Human Resources Manager so that the applicants may be documented and tracked. The screening of applicants is varied across departments and appointing authorities. Federal and state laws require the documentation of applicants and as such all screening, regardless of appointing authority should be coordinated through the Human Resources Manager.

References

The Town should adopt a policy regarding references and the documentation of such. References on potential candidates should be documented and maintained in the position recruitment file. A standardized reference form should be created.

New Hire Procedures

The Human Resources Manager has created a New Hire Checklist which has streamlined bringing an employee on board. The Treasurer and the Human Resources Manager coordinate efforts to obtain all necessary new hire paperwork.

Conditional Offers of Employment

As part of the New Hire Checklist, a letter from the Human Resources Manager is given to the person offered a position and informs the potential employee of the hiring requirements, such as the completion of the authorization to work (I9) and a pre-employment physical.

Pre-Employment Physical

Chapter II of town Bylaws, Section 4 requires that a potential employee receive a physical exam from the Town Physician who must file a report with the Town Treasurer. It is recommended this Bylaw be eliminated in its entirety. The Town should create a policy that a physical examination should be conducted for certain classes of positions, such as laborers, and if a physical is preformed, documentation of such should be maintained in the personnel file.

Civil Service

The process for hiring Civil Service employees runs well. The Board of Selectmen call for a list and the Town Administrators office manages the list and the process. The Town Administrator's office coordinates with the Police Chief and Fire Chief throughout the appointment process.

Central File Retention

Personnel Records are currently in the Treasurer's office and in some departments. The Town's plan is to move them to the Human Resources. The Collins Center recommends this be done as soon as possible.

As in many municipalities, a concern is the fact that many departments keep folders or files on each employee. It is recommended that training or instruction be provided to department heads to ensure that any records kept by the department are also forwarded to the Human Resources Manager for placement in the official personnel file. There can be only one "official" file. Department heads and supervisors should be made aware of personnel record requirements, particularly as it pertains to medical information, discipline and/or grievances. Additionally, the Police and Fire departments, which manage Injured on Duty claims, should be instructed in the proper maintenance of such records.

Performance Evaluation

Section 8 of the Personnel Policy Bylaw requires the Town perform performance evaluations and that the Personnel Board is responsible for such. No formal performance evaluations are being conducted. Step increases are contractual. It is recommended the Town analyze the issue of performance evaluation and determine if it should reinstate or eliminate a performance evaluation system. If a system is to be instituted, training of evaluators should be conducted to ensure a consistent application of standards. The Collins Center recommends the coordination of any evaluation system be the responsibility of the Human Resources Manager.

Training of Department Heads, Managers and Supervisors

Providing training on policies is critical for all employees. Training is particularly important for supervisors in the areas of sexual harassment, discrimination, progressive discipline and policy compliance. The Town should establish a schedule of training on all policies, with particular attention to supervisory training.

Health Benefits

Ludlow participates in the MIIA Trust Group. The Treasurer's office coordinates enrollment with MIIA and reconciles bills to verify enrollment. Employees with benefit administration responsibilities should receive regular training on the laws regarding benefits, such as qualifying events, dependents, and continuation of coverage.

The Collins Center finds that the Town's benefits programs could be enhanced. The Town should consider conducting educational or open forums for employees about benefits, hold a benefits fair, provide for enriched open enrollment activities, and perhaps expand optional benefit programs. The Town should research deferred compensation, flexible spending and various insurance enhancements which often have no cost to the Town.

Leave Administration

Leave balances are tracked by the individual departments. While the payroll system, Munis, has the capacity to track leave, the balances are not always correct and employees and supervisors do not trust the accuracy of the figures in the Munis system. The Collins Center recommends the Town either use the Munis system or not. If the totals are not accurate, the system should be evaluated for its usefulness. If the leave balance system is not useful, it should not be used. Having an inaccurate system causes considerable delay in back checking and verifying balances.

Family Medical Leave Act (FMLA)

Since the hiring of the Human Resources Manager, FMLA leave has been primarily centralized. It is important for the consistent application of policy and confidentiality that FMLA leave be coordinated through the Human Resources Manager, regardless of appointing authority.

Workers Compensation & Injured on Duty

The Workers Compensation Program is managed in the Town Administrators office. While the Town works with MIIA on Workers Compensation issues, the procedures could be enhanced. It

is recommended the Human Resources Manager work with MIIA to obtain standardized policies, procedures and forms and then provide training to all departments on the best practices for handling Workers Compensation claims and injuries.

The Injured on Duty Program works well and is coordinated through the Police Chief and Fire Chief. The Board of Selectmen approve the bills which are processed by administrative staff. The administrative staff works with the physicians' offices to "rate" or "code" the bills to the appropriate rate for work related injuries. It is recommended the Town consider outsourcing the billing to a third party administrator or insurance advisor.

Payroll Process & Procedures

They payroll is an exception payroll meaning it is the same each week unless a change is noted. Each department submits its payroll to the Treasurer's office. However, the format is not standardized. The Collins Center recommends the Treasurer's office issue a standard format to be utilized by all departments.

Retirement

The Treasurer's office coordinates retirement and is responsible for issuing final payroll, benefit buybacks and other end of employment issues. The Town could improve the termination process by creating a post-employment check list or process.

Consolidated Omnibus Budget Reconciliation Act (COBRA)

COBRA is the continuation of certain benefits post employment. The Treasurer's office initiates the COBRA notification and coordinates through MIIA. Communication with the School Department should be improved relating to the timely notice of the termination of employees. The Collins Center recommends the creation of a form, either paper or electronic, that is sent to the Treasurer when any employee is leaving the Town's employment

Unemployment

Unemployment is currently coordinated through the Treasurer's office. It is recommended that the Human Resources Manager be consulted when identifying the reasons given for termination. Wage information should be obtained from the Treasurer's office.

POLICY AUDIT CHECKLIST

The following Table represents policies that are recommended for municipalities and identifies if Ludlow has the policy, has a policy that needs to be updated, or does not have the policy.

Policy	Ludlow	Comment
Access & Use of Telecommunications Systems	Yes	

Policy	Ludlow	Comment
Alcohol & Drug Use	No	Important to have a policy in addition to the Drug Free Workplace Act
Anti-Fraud	No	
Attendance Policy Statement	No	
Basic Life Insurance	Yes	
Bereavement	Yes	
Computer Policy	Yes	Should be reviewed to ensure up to date with industry standards
Conduct (Standards)	Yes	
Conflict of Interest/Ethics	Yes	
Consolidated Omnibus Budget Reconciliation Act	No	Policy should be created and staff trained on administration of COBRA
Criminal Offender Registry Information	Yes	
Discipline	Yes	
Discrimination Prevention	Yes	
Discrimination Grievance Procedure	Yes	
Disability Discrimination Prevention	Yes	
Dress Code	Yes	Should be reviewed and updated
Drug Free Workplace	Yes	
Employee Grievance Procedure	Yes	

Policy	Ludlow	Comment
Equal Opportunity/Affirmative Action	Yes	
Family and Medical Leave Act	Yes	Should be reviewed to ensure up to date
Grievance Procedure	Yes	
Health Insurance	Yes	Should be reviewed and updated
Health Insurance Portability & Accountability Act	No	Important to have a policy on HIPAA
Holidays	Yes	
Hours of Work and Overtime Payroll Submission Form Compensatory Time for Non-Exempt Employees Meal & Break Period Emergency Closing Policy	Yes	
Jury Duty	Yes	
Leave of Absence- Unpaid	Yes	
Life Insurance	Yes	
Longevity Pay	Yes	
Maternity & Paternity Leave	Yes	
Military Leave	Yes	Should create a separate Military Leave policy
Orientation	Yes	
Performance Evaluation	Yes	Language exists, but system is not followed
Personnel Records	Yes	

Policy	Ludlow	Comment
Political Activity	Yes	
Probationary Period	Yes	
Promotion	Yes	
Recruitment & Selection	Yes	
References	No	Should create a standard reference policy
Retirement	No	
Separation from Employment	No	
Sexual Harassment Prevention	Yes	
Small Necessities Leave Act	Yes	
Sick Leave	Yes	
Sick Leave Bank	Yes	
Social Networking	No	Imperative to have a policy
Vacation	Yes	
Vehicle Use and Reimbursement	No	Bylaw exists on travel and should be modified and moved to Personnel Policy Manual
Weapons	Yes	
Whistleblower Protection	No	Town has a poster explaining rights, but does not have a policy
Workplace Injuries Workers Compensation Police & Fire Injuries	Yes	

Policy	Ludlow	Comment
Workplace Safety	Yes	
Workplace Violence Prevention	Yes	
Acknowledgement of Receipt & Understanding Signature Page	Yes	

Ludlow has the majority of the policies considered to be best practice for municipalities. The Table above indicates which policies the Town does not have. The Collins Center recommends the Town create a policy for each of the ones listed above that do not currently exist. The “Comment” section of the table provides recommendations. However, a few policies need to be mentioned here.

Social Networking, Computer, Personal Use. The Town should review all its policies with respect to technology, using Town equipment, and using personal equipment, such as cell phones, while on duty. Social media and networking is an increasing concern for municipalities. The Town should review its policy and consider adopting a comprehensive policy relating to these important issues.

References. References are a potential liability for the Town. Without a reference policy and a standardized procedure for obtaining and granting references the Town could be at risk. The policy should clearly articulate who is authorized to obtain or grant references and all should be documented.

Whistleblower & Fraud. The Town should create policies regarding fraud and whistleblower protection. Posting the federal or state regulations is important, but having a policy is also necessary.

Travel and Vehicle Use. The Bylaws, Chapter II, Section 22 contains requirements for reimbursement for expenses, meals and travel. The Bylaw should be removed as a Bylaw and become part of the Personnel Policy Manual.

DISCUSSION

The Town has a decentralized organizational structure which can lead to a lack of effective communication amongst departments and employees which could have a negative impact on service delivery and potential disparate treatment of employees. The Collins Center recommends the Town undertake a comprehensive review of its organizational and governance structures to ensure that services are being effectively and efficiently delivered.

With respect to human resources administration, the town is in a transition phase, moving from a decentralized human resource system to a centralized one with the oversight of a Human Resources Manager. The Town recognized the importance of a standardized, centralized human resources system when it voted for the creation of the Human Resources Manager position. That was the first step. Many steps have been taken since that time and additional steps are needed to fully realize the objective of a centralized, professional human resources system.

The Collins Center recommends creating a separate Human Resources Department or Division, ideally in a location separate from the Town Administrator and Board of Selectmen offices. The Human Resources Manager could still be under the direction of the Town Administrator, but having the location within the office of the Town's Administration has the potential to hinder the confidentiality and effectiveness of the human resources system. Employees in particular should be made to feel comfortable in approaching the Human Resources Manager freely and without any concern of a violation of expected privacy. Since much of the work of the Treasurer is human resources related, it would make sense to place the Human Resources office in close proximity to the Treasurer's office, if possible. Doing so would also provide for "one stop" orientations for new employees.

The Collins Center anticipates that the findings, observations and recommendations contained in this Report will help the Town continue on its path of creating a modern, legally compliant and professional human resources function, thus limiting liability.

CLOSING

Thank you for inviting the Collins Center for Public Management into your community. We appreciate all the time given by the people interviewed during this process. We would be remiss if we did not acknowledge the assistance received from Carrie Ribeiro, Human Resources Manager, who was extremely gracious with her time and support. Please do not hesitate to contact us for clarification or discussion of this report.

ATTACHMENT

Town of Ludlow Human Resources Manager Job Description

Position Summary

Under the appointment and direction of the Board of Selectmen, the HR Manager is responsible for the administration and coordination of the Town of Ludlow's human resources program including, but not limited to, recruitment; pre-employment screening and background checks; compensation; benefits; personnel policies; employee development and training; ensures compliance with applicable state, federal, local laws and regulations; assists with collective bargaining agreements and acts as an internal consultant advising departments on HR issues.

Supervision

Works under the general direction of the Town Administrator. Plans, prioritizes and performs work independently in accordance with standard practices and previous training. Expected to resolve most problems of detail or unusual situations by adapting methods or interpreting instructions to resolve the particular problem. Instructions for new assignments or special projects usually consist of statements of desired objectives, deadlines and priorities.

Job Environment

- Position requires examining, analyzing and evaluating facts and circumstances surrounding individual problems, situations, or transactions, and determining actions to be taken within the limits of standard or accepted practices. Analyzes and enforces current policy, identifies problem areas, proposes changes; provides background information and analysis of gathered information.
- Makes frequent contacts with a variety of persons including, but not limited to, all town employees, retirees, job applicants, other municipalities, labor counsel, consultants, the Personnel Board, and state governmental representatives in person, by telephone, and e-mail. Contacts involve furnishing routine information as well as discussing complex legal issues. Contacts require considerable discretion, resourcefulness and persuasiveness to achieve desired objectives.
- Has access to an extensive amount of highly confidential information on a town-wide basis such as personnel records, collective bargaining negotiations, bid proposals, and pending lawsuits and investigations.

- Errors could result in a significant adverse impact on employee morale, poor public relations for the town, confusion and delay, and could have serious legal and/or financial repercussions.

Essential Functions *(The essential functions or duties listed below are intended only as illustration of the various types of work that may be performed. The omission of specific statements of duties does not exclude them from the position if work is similar, related, or a logical assignment to the position.)*

- Maintains and implements personnel bylaws, policies and procedures, ensuring consistent interpretation and application. Recommends and drafts new and revised bylaws, policy and collective bargaining language for the Town Administrator and the Personnel Board. Provides personnel policy information to employees and advises on interpretation.
- Provides effective direction and guidance to department heads and appointing authorities in the hiring, training, and evaluation of staff as to Town's and specific department's policies and objectives. Provides guidance and counsel in maintaining good employee and employer relations throughout the organization.
- Oversees or assists as necessary, the administration of the Town's performance appraisal process; ensures that department heads are completing regular and probationary performance reviews on a timely basis; provides support to the Personnel Board and Town officials in their review and approval.
- Oversees the administration of compensation and classification policies in accordance with Town bylaws, collective bargaining agreements, and federal and state statutes. Evaluates and makes recommendations to the Town Administrator and the Personnel Board regarding compensation and classification actions. Works with department heads to draft job descriptions. Implements and oversees related salary and classification studies.
- Assists the Town Administrator in preparing, negotiating, administering and interpreting union contracts and in resolving labor relations issues, grievances, arbitrations and disputes.
- Maintains confidential personnel records, ensuring individual employee files are current and complete. Monitors and approves all changes of status, recommending non-routine changes to the Town Administrator as appropriate. Posts changes and/or supervises staff engaged in entering changes to employee files. Prepare periodic reports on personnel data.
- Works with Civil Service and assists in the preparation and submittal of all civil service correspondence and forms in accordance with Chapter 31 of the General Laws of the Commonwealth of Massachusetts.

- Advises Town Administrator, elected officials, department heads, and various employees on personnel transactions. Works to improve communication within and between departments; answers inquiries and assists department heads and supervisors regarding personnel policies and procedures.
- Attends such meetings with the Town Administrator, Select Board, Town Department Heads and members as required to fulfill duties of the position.
- Attends monthly Personnel Board meetings.
- Maintains non-discrimination program; files EEO-1 annually, maintains other records, reports and logs to conform to EEO regulations.
- Ensures Town compliance with applicable state, federal and local laws, including Fair Labor Standards Act, Americans with Disabilities Act, non-discrimination laws, and Family Medical Leave Act.
- With the Town Administrator, serves as Harassment Officer; represents the Town at personnel-related hearings.
- Prepares and administers departmental budget.
- Administers workers compensation and injured on duty leaves in conjunction with FMLA, including the review and approval of injury reports and workers compensation calculations, monitoring of medical treatment, interaction with the Department of Industrial Accidents, assists in development of internal policies and procedures to reduce employee accidents.
- Has a working knowledge of unemployment status and regulations applicable to Massachusetts employees.
- Conducts special projects and other assignments as needed to improve personnel administration and employee morale with the organization.
- Performs similar or related work as required or as assigned.

Recommended Minimum Qualifications

Education and Experience

- Position requires a Bachelor's Degree and three (3) years experience in Human Resources field; PHR Certification preferred (one year allowed from date of hire to achieve), municipal personnel experience preferred (will consider any equivalent combination of education and experience).

Knowledge, Skill and Ability

- A candidate for this position should have a thorough knowledge of the principles, practices, regulations, and applicable federal and state laws relating to personnel administration (FLSA, FMLA, EEO, ADA etc.). Thorough knowledge of employee classification, compensation and benefits, recruitment, selection, training, and labor relations.
- Excellent verbal and written communication skills, strong organization skills and the ability to manage a large number of projects and tasks. Proficiency in Microsoft Office applications including Word, Excel, Outlook.
- Ability to demonstrate objectivity, sensitivity, and a balanced perspective regarding employee concerns and organizational expectations. Ability to interact in a positive and effective manner with personnel at all levels of authority. Ability to analyze and interpret legislation, regulations, and data relevant to personnel administration. Ability to maintain accurate and detailed records. Ability to prepare and analyze comprehensive reports.

Physical and Mental Requirements

The employee works in normal office conditions and is required to sit, talk, listen, stand, walk, stoop, kneel, crouch and reach with hands and arms to access documents and files; employee seldom lifts up to 10 pounds. The position has normal vision requirements. Equipment operated includes office machines, telephone and computers.