



# Town of Chester

## Employee Standards Policy

Last Updated: 12/24/2025

Approved: 12/29/2025

### **Attendance and Punctuality**

Employees are expected to and shall perform their duties utilizing a team approach to their work with other staff members.

If an employee knows they will be late for work or absent, the employee must notify the department head, Town Administrator, or designee as soon as possible, and before the start of the workday. Excessive absenteeism or tardiness may lead to discipline up to and including termination.

If an employee is absent for three (3) consecutive workdays without notifying the Town, it is assumed that the employee has voluntarily abandoned his/her position with the Town, and the employee will be considered to have voluntarily resigned.

### **Changes in Personal Data**

The Town needs to maintain up-to-date information about its employees so that it will be possible to aid employees and their families in matters of personal emergency.

Changes in name, address, and telephone number, number of dependents, or next of kin and/or beneficiaries should be given to the staff member responsible for the maintenance of personnel records.

### **Classification**

Unless an employee has a written employment agreement with the Town of Chester that proves differently, all employment at this Town is “at-will.” That means employees may be terminated from employment with or without cause, and employees are free to leave the employment of the Town with or without cause. Any representation by any Town official or employee to this policy is not binding upon the Town unless it is in writing and signed by the Selectboard.

### **The Town uses the following classification system:**

#### **Exempt Employees**

This includes those employees who are paid at an annual salary rate and are not eligible to receive premium pay for overtime according to the Fair Labor Standards Act (FLSA). Exempt employees are paid on a salary basis and, in general, must be paid their full salary for any week in which they perform any work.

### Non-Exempt Employees

This includes those employees who are paid at an hourly rate and are eligible to receive premium pay for overtime according to the FLSA. Nonexempt employees will be paid only for actual hours worked unless they receive paid leave under the Town's vacation, sickness, personal time or other paid leave policies.

### Full Time at Time of Hire

Identifies all employees who are normally scheduled to work forty (40) or more regular hours each week.

### Part-Time at Time of Hire

Identifies all employees who are normally scheduled to work on a regular basis, less than forty (40) hours per week. Part-time employees, who work less than twenty (20) hours per week, are not eligible for health, dental and other benefits, but are eligible for sick time and county retirement. Please refer to the towns policies and Massachusetts General Laws for more information.

### Temporary at Time of Hire

Identifies individuals hired on a day-to-day or block of time basis. Temporary employees are not eligible for benefits as set forth in this Handbook.

### **Conflict of Interest/Financial Disclosure**

As mandated by the Massachusetts State Ethics Commission, Town employees shall comply with the requirements of Chapter 268A of the Massachusetts General Laws which governs conduct as a public official or public employee.

### **Criminal Offender Record Information (CORI)**

Where Criminal Offender Record Information (CORI) checks are part of a general background check for employment, volunteer work or licensing purposes, the following practices and procedures will generally be followed:

#### A. Conducting CORI Screening

CORI checks will only be conducted as authorized by the DCJIS and MGL c, 6, S. 172, and only after a CORI Acknowledgement Form has been completed.

If a new CORI check is to be made on a subject within a year of his/her signing of the CORI Acknowledgement Form, the subject shall be given seventy-two (72) hours' notice that a new CORI check will be conducted.

#### B. Access to CORI

All CORI obtained from the DCJIS is confidential, and access to the information must be limited to those individuals who have a "need to know". This may include, but not be limited to, hiring managers, staff submitting the CORI requests, and staff charged with processing job applications. The Town of Chester must maintain and keep a current list of each individual authorized to have access to, or view, CORI. This list must be updated every six (6) months and is subject to inspection upon request by the DCJIS at any time.

C. CORI Training

An informed review of a criminal record requires training. Accordingly, all personnel authorized to review or access CORI at the Town of Chester will review, and will be thoroughly familiar with, the educational and relevant training materials regarding CORI laws and regulations made available by the DCJIS.

Additionally, if the Town of Chester is an agency required by MGL c. 6, s. 17 IA, to maintain a CORI Policy, all personnel authorized to conduct criminal history background checks and/or to review CORI information will review, and will be thoroughly familiar with, the educational and relevant training materials regarding CORI laws and regulations made available by the DCJIS.

D. Use of Criminal History in Background Screening

CORI used for employment purposes shall only be accessed for applicants who are otherwise qualified for the position for which they have applied.

Unless otherwise provided by law, a criminal record will not automatically disqualify an applicant. Rather, determinations of suitability based on background checks will be made consistent with this policy and any applicable law or regulations.

E. Verifying a Subject's Identity

If a criminal record is received from the DCJIS, the information is to be closely compared with the information on the CORI Acknowledgement Form and any other identifying information provided by the applicant to ensure the record belongs to the applicant.

If the information in the CORI record provided does not exactly match the identification information provided by the applicant, a determination is to be made by an individual authorized to make such determinations based on a comparison of the CORI record and documents provided by the applicant.

F. Inquiring About Criminal History

In connection with any decision regarding employment, volunteer opportunities, housing, or professional licensing, the subject shall be provided with a copy of the criminal history record, whether obtained from the DCJIS or from any other source, prior to questioning the subject about his or her criminal history. The source(s) of the criminal history record is also to be disclosed to the subject.

G. Determining Suitability

If a determination is made, based on the information as provided in section E of this policy, that the criminal record belongs to the subject, and the subject does not dispute the record's accuracy, then the determination of suitability for the position or license will be made. Unless otherwise provided by law, factors considered in determining suitability may include, but not be limited to, the following:

1. Relevance of the record to the position sought.
2. The nature of the work to be performed.
3. Time since the conviction.

4. Age of the candidate at the time of the offense.
5. Seriousness and specific circumstances of the offense.
6. The number of offenses.
7. Whether the applicant has pending charges.
8. Any relevant evidence of rehabilitation or lack thereof; and
9. Any other relevant information, including information submitted by the candidate or requested by the organization.

The applicant is to be notified of the decision and the basis for it in a timely manner.

#### H. Adverse Decisions Based on CORI

If an authorized official is inclined to make an adverse decision based on the results of a criminal history background check, the applicant will be notified immediately. The subject shall be provided with a copy of the organization's CORI policy and a copy of criminal history. The source(s) of criminal history will also be revealed. The subject will then be provided with an opportunity to dispute the accuracy of the CORI record. Subjects shall also be provided with a copy of DCJIS' Information Concerning the Process for Correcting a Criminal Record.

#### **Standards of Conduct**

Each employee has an obligation to observe and follow the Town's policies, and to maintain proper standards of conduct at all times. If an individual's behavior interferes with the orderly and efficient operation of a department, corrective disciplinary measures will be taken. Disciplinary action may include a verbal warning, written warning, suspension with or without pay and discharge. The department head and/or Selectboard will determine the appropriate disciplinary action imposed. The Town does not guarantee that one form of action will necessarily precede another. The Town reserves the right to determine the appropriate level of discipline and to skip steps or begin discipline at whatever level it deems appropriate.

The following are some, but not all, of the offenses that may result in discipline up to and including termination: flagrant misconduct, violation of the Town's policies or safety rules, insubordination, poor attendance, possession, use or sale of alcohol or controlled substances on work premises or during work hours, poor performance, theft or dishonesty, physical harassment, sexual or other unlawful harassment, disrespect toward fellow employees, visitors or other members of the public, or violation of any of the policies in this town. These examples are not all inclusive.

The Town emphasizes that a decision to terminate will be based on an assessment of all relevant factors. If the Town issues a disciplinary notice, the employee will be informed, and a copy of the notice will be placed in the employee's personnel file. Full details are found in a separate document known as the CODE OF CONDUCT.

Print Name:

Signature:

Position:

Date: