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HUMAN RESOURCES REPORT HUBBARDSTON, MASSACHUSETTS

EDWARD J. COLLINS, JR. CENTER FOR PUBLIC MANAGEMENT

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TABLE OF CONTENTS

INTRODUCTION	2
METHODOLOGY	2
DISCUSSION	2
SUMMARY OF FINDINGS AND RECOMMENDATIONS	3
ORGANIZATIONAL STRUCTURE & RESPONSIBILITY FOR HUMAN RESOURCES FUNCTIONS	3
COMPLIANCE ASSESSMENT	4
RECRUITMENT	5
EMPLOYMENT APPLICATIONS	5
SCREENING AND INTERVIEWING	6
CORI CHECKS AND I-9 VERIFICATIONS	7
REFERENCES	7
PRE-EMPLOYMENT PHYSICALS AND DRUG TESTING	7
CONDITIONAL OFFER LETTERS OF EMPLOYMENT AND APPOINTMENT LETTERS	8
NEW HIRE PROCEDURES	8
ORIENTATION AND ONBOARDING	9
CENTRAL PERSONNEL FILE RETENTION	9
BENEFITS	10
PAYROLL	10
TECHNOLOGY AND WEBPAGE	10
LEAVE ADMINISTRATION	11
TRAINING	11
LABOR RELATIONS AND COLLECTIVE BARGAINING	12
RETIREMENT	12
PERSONNEL POLICIES	12
RECOMMENDATIONS	14
CLOSING	16

INTRODUCTION

The Collins Center for Public Management was engaged by the Town of Hubbardston to conduct a Human Resources Review (Review). The Review was commissioned to document the current state of the human resources systems, staffing, policies and practices. The purpose of the Review 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, the Executive Assistant to the Board of Selectmen, and Department Heads. In addition to the interviews, an extensive review of Town documents and procedures was conducted.

DISCUSSION

The term “human resources” is broad and includes a host of functions. Human resource functions can be characterized as transactional or strategic. Human resources has evolved through the years from “personnel” administration to “human resources” management.

Personnel administration is the title formerly assigned to human resources duties. In the 1980s, personnel administration consisted of enrolling employees in benefit plans, processing and distributing paychecks, hiring, suspending and firing employees. The personnel department was merely an administrative function of the business. Concepts such as human capital or human resource management later emerged as HR began to play a bigger role in the strategic direction of the organization. Personnel administration matured into human resources, which evolved in two separate but connected ways -- strategic and transactional or functional HR.

Transactional human resources are the “traditional” functions of benefits administration, policy development and administration, position descriptions, payroll, worker’s compensation, personnel file maintenance, collective bargaining agreement administration, vacancy posting

and collecting applications and resumes. According to SHRM, these “transactional” functions are a way of “managing the employment relationship from recruitment and processing employees through retirement.”

On the other hand, strategic human resource functions deal with the strategic direction of the organization and include long term goals. According to SHRM “HR needs to be approached from a holistic point of view encompassing every function of human capital management” and that organizational leadership, should work towards “creating an effective human resources infrastructure that supports an employee-centric, service-oriented strategic human resources organization.” Strategic functions include long term planning, employee relations, training, succession planning, customer service and talent retention and development.

SUMMARY OF FINDINGS AND RECOMMENDATIONS

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 which can be difficult particularly in the fast-changing human resources landscape.

RECOMMENDATIONS

The Collins Center primary recommendations are:

1. Create the Position of Human Resources Assistant
2. Centralize the Human Resource Files and Documents
3. Adopt Comprehensive Employment Policies and Procedures
4. Create a Formal Uniform Hiring Process
5. Complete a Training Needs Assessment
6. Add Anti-Discrimination Language to the Town Website

ORGANIZATIONAL STRUCTURE & RESPONSIBILITY FOR HUMAN RESOURCES FUNCTIONS

The Town of Hubbardston's Town Administrator is the primary participant in human resources administration, with the Board of Selectmen, Executive Assistant, Treasurer/Collector, and department heads also being involved in the human resources function.

Town Administrator

The Town Administrator serves as the chief administrative officer and as the Personnel Officer for the Board of Selectmen and is responsible for recruitment, selection, collective bargaining, position descriptions and classification, policy development, equal opportunity, workers compensation, and the coordination of all human resources functions for the Town.

Executive Assistant to the Board of Selectmen and Town Administrator

The Executive Assistant coordinates and assists the Town Administrator with human resources work, such as file management.

Treasurer/Collector

The Treasurer/Collector's office is responsible for onboarding new employees in regards to payroll administration and health benefit enrollment and administration.

Town Accountant

The Town Accountant verifies the payroll entered by the Treasurer/Collector's office.

Department Heads

Department heads review applications, interview candidates and make recommendations for appointment. Department heads are responsible for onboarding new employees, employee management, submitting payroll and approving leave.

COMPLIANCE ASSESSMENT

The Collins Center conducted an extensive review of Hubbardston's procedures for all aspects of human resources, with particular attention being paid to issues surrounding compliance with

state and federal laws. Improvements should be made to improve efficiencies. The following is a summary of findings and recommendations.

Recruitment

Vacant positions are posted on the Town website, Massachusetts Municipal Association's website, on social media, and in the newspaper. Positions are posted for 2 weeks.

Employment Applications

The Town has a standard employment application used by all applicants for all positions. A standard employment application is important as it allows targeted, consistent and controlled information collection and an ability to provide information to the candidate, such as the Town's equal opportunity hiring statement. The current application includes applicant affirmation that the information provided is accurate. General recommendations for employment applications, are as follows:

1. The Town should enable the application to be fillable online (while still preserving a candidate's option to print out the application). The Town should consider an electronic signature option so candidates can also submit the application without having to print it out.
2. The application should contain updated contact information, including both email and phone numbers, for a contact person in case the candidate has any questions.
3. Applications should not request a Social Security number due to identity theft and privacy concerns. The Town should not need this information until it is time to run a background check or complete a W-4 and including it on an application carries unnecessary risk.
4. Applications should not request a date of birth as it can reveal an applicant's age and lead to allegations of age discrimination.
5. The application should contain an anti-discrimination statement similar to the following: "The Town of Hubbardston is proud to be an equal opportunity employer. Therefore, qualified applicants will be considered regardless of their sex, race, age, religion, color, national origin, ancestry, physical or mental disability, genetic information, marital status, sexual orientation, gender identity, gender expression, military and veteran status, or other status prohibited by law."

6. The application should not contain any questions regarding an applicant's work authorization status. Instead, the application should contain the following statement: "In compliance with federal law, all persons hired will be required to verify identity and eligibility to work in the United States and to complete the required employment eligibility verification form upon hire."
7. To obtain information on whether an applicant holds a degree or a diploma, the Town can simply ask if the applicant has graduated and what degree was obtained. The application should not ask for an applicant's graduation dates since that information can reveal an applicant's age (and lead to allegations of age discrimination).
8. Similarly, the Town should not ask for an applicant's dates of employment at previous jobs. Instead, the Town can ask how many years the applicant was employed.

Screening and Interviewing

An important function of any employer is to ensure hiring practices are standardized and compliant with federal and state laws. It is critical for an employer to have consistent employment practices, ensure all interview questions are legal, and job related, and document all selection processes. The Collins Center recommends centralization of the Human Resource function to accomplish this and involving the Town Administrator in the hiring process for each department.

Department heads are currently screening applications they receive, and conducting interviews based on their own questions. Department heads expressed the desire to have guidance in the creation on interview questions to ensure their compliance. A training on appropriate interviewing is also recommended for department heads.

It is recommended all applications for employment come through the Board of Selectmen's office, which will then provide a copy of the applications to the department head. The department head can screen the applications and decide which candidates to interview. Candidates that are not interviewed should receive a standard notification that they will not be moving forward in the interview process. Communication of "non-interest" should be sent to those who do not fill the open position at the end of the process, as well.

All interview notes, applications, and collected applicant data should be filed together in a designated recruitment filing area.

Criminal Offender Records Information (CORI) Checks and I-9 Verification

CORI checks are completed by the Police Chief and Fire Chief for employees in their departments and the Executive Assistant to the Board of Selectmen after a conditional offer of employment has been accepted by an applicant. It is recommended that the Town adopt a CORI policy, including what to do if a candidate does not pass the CORI. CORI records should not be stored in employee personnel files. An internal file audit should be completed to ensure all CORI records are kept separately from personnel files. CORI records may not be retained longer than three years after an employee separation.

There is not a formal process surrounding I-9 collection. It is recommended the Town create a procedure to ensure compliance. I-9s need to be completed accurately and completely in a timely fashion. New employees should report to work on their first day of employment with all required personal documentation to complete the I-9. I-9 forms should not be stored in employee personnel files. It is recommended that the Town complete an internal file audit, and ensure all I-9s are stored in separate locked file storage.

References

References are conducted by either the Town Administrator or Department Head. The Town should adopt a policy regarding references and how to document them. It is best to have one person conduct references, or have one person manage the reference process and receive notification from department heads when references are completed. References on potential candidates should be documented on a standard reference form and maintained in the position recruitment file.

Pre-Employment Physicals and Drug Testing

The Town currently requires candidates for the Police, Fire and Highway Departments to pass a pre-employment physical and drug screen as a condition of employment. The drug screen and physical exam are scheduled by the hiring department, which receives the results and notifies the employee.

The Town does not have a written policy regarding pre-employment physicals. The Collins Center recommends that the Town adopt a policy regarding pre-employment exams, including drug and alcohol testing, and a formal protocol to follow if a candidate does not pass the exam.

Conditional Offer Letters of Employment and Appointment Letters

Currently, the Town has a standard and very informative offer letter, conditional offer letter and rejection letter. Offer letters are important to inform candidates of the probationary period, the need for pre-employment physicals and background checks, as well as puts the employee on notice regarding licenses they are required to have prior to employment and those they are expected to obtain within a reasonable amount of time after beginning their employment.

The Collins Center recommends that the process of sending out rejection letters and offer letters be centralized in the Town Administrator's Office, including for police and fire.

Applications and records for all job candidates must be kept in accordance with the Municipal Retention Guidelines. In keeping with the move towards centralizing the human resource functions, these applications and records should be kept by the Town Administrator for all departments, including Police and Fire.

New Hire Procedures

An internal new hire form is utilized in part to ensure a new employee is in the system for payroll. It is not always forwarded to the Treasurer/Collector and Town Accountant prior to an employee's first day of employment, which can be challenging. The form should be received by the Treasurer/Collector and Accountant prior to an employee's first day of employment so that

onboarding procedures can be planned out, and the change to payroll dollars is expected. The Treasurer/Collector also assists new employees with the completion of critical employee paperwork, such as the I-9, and maintains it. It is critical that the proper employment paperwork be received and recorded on or before the first day of employment. Having a centralized hiring process will ensure that one person is tracking open positions, and will notify the Treasurer/Collector of any hires in a timely fashion.

Orientation and Onboarding

The Town has a thorough onboarding process outlined in the new hire checklist. It includes general training, initial paperwork, employee training, workspace training, department specific training, and expectations. A highlight of the new hire checklist is that a mentor is assigned to each new hire. Personnel policies are uploaded to the Human Resources page on the Town website for employees to view, as needed.

Central Personnel File Retention

According to MGL Chapter 149, Section 52C, the Massachusetts Personnel Records Law, employee personnel files must include all documents kept by an employer which have been used for or may affect that employee's qualifications for employment, promotion, transfer, additional compensation or disciplinary action. This includes, at a minimum, the following information:

- name
- address
- date of birth
- job title
- job description
- rate of pay
- any other compensation paid to the employee
- starting date of employment
- completed application
- resume or submitted employment inquiry
- all employee performance evaluations, including but not limited to, employee evaluation documents, written warnings of substandard performance, lists of probationary periods
- waivers signed by the employee
- copies of dated termination notices
- documents relating to disciplinary action regarding the employee

The Town Administrator's office retains the official personnel files for employees. The Collins Center recommends the Town Administrator coordinate with department heads to review any employee "follow files" kept by departments to ensure the official file maintained at the Board of Selectmen's Office contains copies of all records kept in individual department files.

Benefits

Hubbardston offers a well-rounded benefits package including health insurance, dental insurance, vision insurance, life insurance, disability insurance, retirement insurance, and 407B. The Treasurer/Collector's office is responsible for health enrollment and coordination for employees and retirees.

Payroll

The payroll systems in Hubbardston are sufficient and functional for the workforce. Payroll is processed bi-weekly. Employees submit timesheets to the department head. Employee timesheets are verified by the department head and then submitted to the Treasurer/Collector. The Benefits and Payroll Coordinator inputs hours for each employee. Once verified the payroll is submitted, payroll is processed. Direct deposit is required.

Technology and Webpage

The town website has a Human Resources tab for employees and prospective employees to reference. It includes job descriptions and an up to date classification system, personnel policies, employee forms, training, military leave information, and a new hire checklist. Having all of this information readily accessible for all employees is a benefit.

The Collins Center recommends the following:

1. The Town's Equal Opportunity and Affirmative Action Policy should be added to the website.
2. The Town's employment application is currently on the website. If possible, the application should be converted to a "fillable online" form and be able to allow online

submission.

3. A link to the job description can be added to postings for vacant positions for easy access for applicants.
4. Information about the Town's Employee Assistance Program should also be added to the web page to provide easier, confidential access to information.

Leave Administration

Other than a select few, the Town does not have a formal leave administration process or policies. While the Town's payroll process of timesheets records leave taken and is entered into the payroll system, no person or office has the responsibility for leave administration. Department heads and/or the Town Administrator approves leave and the balances are reconciled with the Treasurer/Collector's office as part of the payroll process. Some contracts define a process for requesting leave, which makes a standard policy challenging. However, a centralized system of managing leave should be the responsibility of the Town Administrator's office so compliance with collective bargaining agreements, and federal and state laws can be followed.

Training

Massachusetts requires municipalities to annually distribute its sexual harassment policy to each employee and also encourages employers to regularly conduct education and training programs on sexual harassment for all employees. The Town should ensure employees are provided with its sexual harassment policy annually and that every employee acknowledges receipt. Without the annual distribution of policies and training on discrimination issues in the workplace, the Town and its officials are exposing themselves to potential liability.

It is recommended the Board of Selectmen's Office conduct a training needs assessment and develop a short- and long-range plan to address identified needs. In addition to regular training on Conflict of Interest, Sexual Harassment and Public Records, the Collins Center recommends that employers conduct additional training for supervisory and managerial employees, which should address their specific responsibilities. It is critical department heads, managers and

supervisors receive training regarding discrimination (including the ADA and “reasonable accommodations”, harassment, performance management and progressive discipline, the Family and Medical Leave Act, and “best practice” interview questions (i.e., what not to ask).

Labor Relations and Collective Bargaining

Hubbardston has three different unions including Police, Fire, and the Department of Public Works. The Town Administrator’s office is responsible for the negotiation of the collective bargaining agreement and its administration.

Retirement

The Town does not have a consistent process when an employee retires for either employees or retirement administration. It is recommended the Town create a termination and post-employment check list that would include items such as vacation payments, unemployment notices, insurance continuation and retirement.

PERSONNEL POLICIES

The Town does not currently have a comprehensive collection of policies. It is suggested that the policies listed below are adopted.

Policy	Policy
Access & Use of Telecommunications Systems	Alcohol & Drug Use
Anti-Fraud	Attendance Policy Statement
Basic Life Insurance	Bereavement
Computer Policy	Conduct (Standards)
Conflict of Interest/Ethics	Consolidated Omnibus Budget Reconciliation Act
Criminal Offender Registry Information	Discipline
Discrimination Prevention	Discrimination Grievance Procedure

Policy	Policy
Disability Discrimination Prevention	Domestic Violence Act
Drug Free Workplace	Equal Opportunity/Affirmative Action
Family and Medical Leave Act	Grievance Procedure
Health Insurance	Health Insurance Portability & Accountability Act
Holidays	Overtime
Meal & Break Period	Emergency Closing
Jury Duty	Leave of Absence- Unpaid
Life Insurance	Longevity Pay
Maternity & Paternity Leave	Military Leave
Personnel Records	Political Activity
Pregnant Workers Fairness Act	Probationary Period
Promotion	Recruitment & Selection
References	Retirement
Separation from Employment	Sexual Harassment Prevention
Small Necessities Leave Act	Sick Leave
Social Networking / Media	Vacation
Vehicle Use and Reimbursement	Weapons
Whistleblower Protection	Workplace Injuries/ Workers Compensation Police & Fire Injuries
Workplace Safety	Workplace Violence Prevention

FINDINGS AND RECOMMENDATIONS

Finding 1: Create the Position of Human Resources Assistant

The opportunity to centralize the human resource functions will result in increased professional level human resource services. The Town Administrator's office has responsibility for primary human resource functions, such as hiring, policy maintenance and distribution, records maintenance, and training coordination.

Recommendation 1.1: It is recommended the Town evaluate the possibility of creating the position of "Human Resources Assistant" and adding the responsibilities for clerical hiring duties, employee record maintenance, policy maintenance and distribution and training coordination. This will allow for a central contact for employment issues and will serve as a valuable resource for employees.

Finding 2: Centralize the Human Resource Files and Documents

Some department heads maintain their own employee files, including but not limited to disciplinary documents.

Recommendation 2.1: It is recommended all official personnel records be kept by and in the Human Resource Assistant in the Board of Selectmen's Office. Without a uniform system of keeping personnel records in accordance with various federal and state laws and regulations, the Town could be exposed to liability. It is recommended the Town Administrator systematically work with departments to migrate the official files to the Board of Selectmen's Office. Departments are certainly allowed to keep departmental records but must be aware of the requirements of doing so. Any documentation kept in a follow file by department heads should also be copied into the main employee file.

Recommendation 2.2: It is recommended that the Town complete a self-audit of employee files and ensure I-9 documents are kept separately from the main employee files.

Recommendation 2.3: It is recommended that the Town standardize leave request forms. Having a standard leave request form will make tracking employee leaves, including vacation, sick, and FMLA easier.

Finding 3: Adopt Comprehensive Employment Policies and Procedures

The Town has been creating policies, but is lacking a comprehensive collection.

Recommendation 3.1: It is recommended that the Town adopt Town-wide employment policies to govern volunteers and employees. Sample recommended policies will be provided to the Town as part of this review or the Town may adopt its own. This will standardize Town procedures and provide guidance for supervisors on managing their employees. The Town should be aware of bargaining obligations with Unions prior to implementation of these policies.

Finding 4: Create a Formal Uniform Hiring Process

Currently, the process for filling vacancies is not consistent across departments. It is recommended that the Town takes steps to create a uniform and centralized hiring process.

Recommendation 4.1: It is recommended the Town develop consistent and uniform procedures for filling non-union vacancies within the Town Departments.

Recommendation 4.2: It is recommended the Town Administrator, or a representative from the Town Administrator's office, administer the hiring process, including the posting of positions, receipt of applications, and the interview process.

Finding 5: Training Needs Assessment

The Town has an opportunity to increase employee training. It is critical that annual compliance and sexual harassment training be conducted to meet requirements. Trainings are

currently completed by new hires and sporadically at the department level. Training will not only have a positive impact on work being done, but will increase employee appreciation.

Recommendation 5.1: It is recommended that the Town create an annual training calendar to ensure Sexual Harassment / Anti-Discrimination training be completed annually.

Recommendation 5.2: It is recommended that the Town conduct a training needs assessment. This should entail prioritizing trainings such as Public Records, Open Meeting Law, Progressive Discipline, and Family Medical Leave which can be sources of liability for Town employees.

Finding 6: Town Webpage

The Town's website does not contain an anti-discrimination statement. The anti-discrimination statement is on the current town application, but should also be visible on the website. It is recommended this be added to the Human Resources tab.

Recommendation 6.1:

It is recommended that the Town update the Town's webpage to include a statement of non-discrimination.

Closing

Thank you for inviting the Collins Center for Public Management into your community. The Collins Center anticipates that the findings, observations and recommendations contained in this Report will help the Town of Hubbardston on its path of creating a modern, legally compliant and professional human resources system, thus limiting liability.

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 Town Administrator, Ryan McLane, who was extremely gracious with his time and support. Please do not hesitate to contact us for clarification or discussion of this report.