



TOWN OF NORWOOD PERSONNEL BOARD

#P-103 - Seasonal/Temporary Employment Policy

1. Purpose and Scope

- 1.1 The purpose of this policy is to define procedures for the hiring of Seasonal/Temporary employees, and to ensure that all departments are in compliance with federal laws, state statutes and town by-laws with regard to hiring, while maintaining consistency across departments in terms of pay rates and benefits.
- 1.2 Appointing Authorities that will be hiring either permanent full-time or permanent part-time employees for non-civil service positions shall follow the Town's Hiring Policy (#P-101). Please go to www.norwoodma.gov, click on Committee/Boards. Click Personnel Board, and then click Town Personnel Policies, to view this and other Town policies.
- 1.3 Please consult the Town's Acting Assignment Policy (#P-403), which governs circumstances in which an employee may be compensated for work performed at a higher level in the absence of an incumbent for longer than fifteen(15) consecutive work days.

2. Applicability

- 2.1 This policy applies to all full and part-time Seasonal and/or Temporary compensated positions, excluding elected officials and employees of the School Department. Positions covered by Civil Service Law or a collective bargaining agreement are subject only to those portions of the policy which are not separately regulated by Civil Service Law or by a collective bargaining agreement.
- 2.2 To the extent permitted by law, individual employment agreements (new, updated or extensions) entered into after the effective date of this policy, with employees whose positions are subject to this policy, must follow all of the provisions of this policy.
- 2.3 This policy is intended to be consistent with any and all applicable laws. If any part of this policy is inconsistent with the law, that part of the policy shall be considered invalid, and the remaining provisions of the policy shall be construed so as to be consistent with the law.

3. Definitions

- 3.1 Please consult the Personnel Definitions Document (#D-100) regarding terms utilized throughout this policy.
- 3.2 Seasonal Employee - an individual employed by the Town for a period of less than twenty (20) weeks in a calendar year, in a seasonal position whose duties are identifiably distinct and are performed during a period of less than twenty (20) weeks in a calendar year due to climate or the nature of the duties.

- 3.3 Temporary Employee - an individual hired for a specific period of time, for a specific purpose, not exceeding twelve consecutive months.

4. Eligibility

This Section intentionally left blank.

5. Policy

- 5.1 Department Heads and Appointing Authorities may appoint Seasonal and Temporary employees to titles contained in the Seasonal/Temporary Compensation Schedule, and in accordance with the procedures outlined below.
- 5.2 Appointing Authorities that hire Seasonal or Temporary employees, who are already Town of Norwood employees, must follow the appropriate FLSA requirements.
 - 5.2.a. Subject to applicable law, an employee may perform more than one type of job for the Town. In this situation, the employee's overtime rate could be a blended rate of all positions. Appointing Authorities or Department Heads must seek assistance from Human Resources in determining eligibility for a second paid position and the correct rate to apply, if applicable, prior to making an offer to the employee.
 - 5.2.b. Record Keeping – any required record keeping for non-exempt employees (overtime eligible) under FLSA are maintained electronically through the Town's payroll database. The Treasurer's Office is responsible to ensure the correct rates of pay are in the payroll database.
- 5.3. Department Heads are required to act consistent with this policy and ensure this policy is implemented consistently within their department.
- 5.4. In the event of an error or violation of this policy, either intentional or unintentional, Human Resources must be immediately informed. Human Resources will identify and make the proper correction(s). A violation of this policy, whether intentional or unintentional, will not change this policy, nor set a precedent in any future application of this policy.

6. Provisions

- 6.1. Use of:
 - 6.1.a Department Heads and Appointing Authorities wanting to hire a Seasonal or Temporary employee must first determine which policy to utilize, the Acting Assignment Policy or the Seasonal/Temporary Employment Policy.
 - 6.1.b If a department is filling an existing position within the classification plan on a temporary basis and is not subject to the Acting Assignment Policy and the hired individual will perform 90% or more of the duties required of a selected position description, then the rate of pay will be at Step 1 of that position grade.

- 6.1.c If a department is filling an existing position within the classification plan on a temporary basis and is not subject to the Acting Assignment Policy and the hired individual will perform less than 90% of the duties required of a selected position description, then the rate of pay will be based on attached document **#D-147 - Schedule A - Seasonal/Temporary Compensation Schedule**.
- 6.2 Department Heads and Appointing Authorities who wish to hire a Seasonal or Temporary employee must first obtain funding through the appropriate budgetary process.
- 6.3 When hiring a Seasonal or Temporary employee, the positions/postings must specify the term of service with a start date and estimated end date. The end date shall not be longer than the last day of the fiscal year in which the individual is hired.
- Exception: Seasonal or Temporary employees who are hired for a term that spans more than one fiscal year shall be subject to the twenty (20) week (Seasonal) or twelve (12) month (Temporary) term of service limit, as long as funding is authorized in the subsequent fiscal year for the position.
- 6.4 Compensation Schedule
- 6.4.a Seasonal/Temporary employees will be paid per document **#D-147 - Schedule A – Seasonal/ Temporary Compensation Schedule**, which shall be maintained by the Human Resources Department.
- 6.4.b Schedule A is a 3-year pay rate chart with updates to be published in January 2015, January 2018, etc. by the Human Resources Department.
- 6.4.c Department Heads are responsible for providing proposed compensation changes with back-up documentation to the Human Resources Department by December 1st of the year prior to when a new 3-year Schedule A will be published. If no proposed updates are provided, the Human Resources Department will input the prior Schedule A rates.
- 6.5 Posting and Advertising
- 6.5.a The position description (if applicable) presently on file in the HR Department is the official description of the duties and responsibilities of the position. If none exists, the appropriate department head must submit one to the HR Department for review and approval by the Personnel Board prior to posting.
- 6.5.b When the Department Head/Appointing Authority and HR Director determine that a vacancy notice is needed, the following procedure must be followed:
- 6.5.b.i The Department Head/Appointing Authority shall work with the HR Department to prepare a job posting based on the official position description or based on the duties specified by the Department Head/Appointing Authority.

6.5.b.ii Required/Requested advertisements shall be in a format that will include at least the following information:

• Position title	• Department/Location of job
• Salary or salary range	• Brief description of duties
• Minimum qualifications	• HR address to send applications
• AA/EEO/ADA statement	• Materials required for application
• “Open Until Filled” or a deadline for filing applications	
• Start date and estimated end date of assignment	
• Any other information deemed necessary by the HR Department	

6.5.b.iii If the position is to be advertised externally (decided by the Appointing Authority in consultation with the HR Director), the Department Head shall work with the Human Resources Department to prepare the text of the classified advertisement. The HR Department will review for appropriateness and consistency. Once approved, the HR Department will place the advertisement in the appropriate newspapers, trade journals and/or other medium that meets their needs. Generally, all costs for advertising will be the responsibility of the department with the vacancy.

6.5.c Once reviewed and approved for accuracy and consistency, the HR Department will post the job opening(s) in appropriate Town locations and on the Town web site.

6.6 Employment Applications

6.6.a All candidates will be required to submit, at a minimum, the appropriate Town of Norwood employment application.

6.6.b All candidates will have the opportunity to self-identify as having protected group status by filling a Self-Identification Form. The decision as to whether or not to identify is up to the applicant. The self-identification form should be forwarded to the Human Resources Department. However, as part of the Town’s commitment to Equal Employment Opportunity, hiring departments may request information regarding the forms.

6.6.c No candidate will be considered without a complete application package.

6.6.d Applicants for positions that require degrees, licenses, certifications, etc., must provide copies or proof of those materials, or complete an authorization form available in the Human Resources Department to allow for verification of such information, prior to beginning employment.

6.6.e Applicants who claim special status as a result of military history must provide a copy of the appropriate discharge notice.

6.6.f All such materials, excluding protected group self-identification, will be kept in the applicable departmental Seasonal/Temporary Employment file.

6.7 Screening and Interviewing

6.7.a Resumes should be screened based on criteria in the position description.

6.7.b When needed, the HR Director and Department Head/Appointing Authority should look to Section 5.3 of the Town’s Hiring Policy (#P-101) to undergo an interview process.

6.8 Subject to applicable law, and the exceptions noted below, Seasonal/Temporary employees are generally not eligible for Town provided benefits such as:

• Paid Holiday Leave	• Paid Sick Leave
• Healthcare (see Note 1)	• Dental (see Note 1)
• Retirement (see Note 2)	• Vacation Leave
• Longevity Pay	• Paid Emergency/Personal Leave
• Life Insurance (see Note 1)	• Paid Funeral/Bereavement Leave
• Unpaid Leave (see Note 4)	• Unemployment Benefits (see Note 3)

Note 1: The determination of whether a Seasonal/Temporary employee should be provided health, life, and dental insurance in accordance with chapter 32B of the Massachusetts General Laws and in accordance with the Massachusetts Health Care Reform Act shall be made by the Human Resources Department.

Note 2: A review of the position and associated hours will be completed by the Retirement Board for final determination for employees in the retirement system or if Seasonal/Temporary employees are pension eligible.

Note 3: Unemployment benefits are generally not available to Seasonal employees, subject to appropriate certification of “seasonal employment” status by the Massachusetts Department of Unemployment Assistance (“DUA”) (see Section 6.14).

Note 4: Unpaid Leave benefits are generally not available to Seasonal or Temporary employees, except as required by law. Such determination shall be made by the Human Resources Department.

6.9 Seasonal/Temporary employees are subject to any and all reasonable background checks, employment verification, driving record check, and CORI checks as determined by the Human Resources Director and any applicable law or policy.

6.10 Seasonal/Temporary employees are required to undergo an employment orientation, which includes an explanation and receipt of all applicable Town Policies.

6.11 Seasonal/Temporary employees may also be required to undergo a physical exam and pre-employment drug screen, which shall be determined by the Human Resources Director, Assistant General Manager, or Department Head.

6.12 Seasonal/Temporary employees who are required to carry a commercial drivers’ license will be subject to the Town’s random drug testing program in accordance with DOT regulations.

- 6.13 Seasonal/Temporary employees are eligible for IRS mileage reimbursement for approved business miles driven in accordance with the Town's Vehicle Use Policy (#P-405). Vehicle stipends are not allowed for Seasonal/Temporary employees.
- 6.14 Seasonal Designation and Certification [this is an annual process]
- 6.14.a In order for a position to be designated 'Seasonal', the following process must be followed prior to the position being filled as a 'Seasonal' employee.
- 6.14.a.i Proposed Seasonal positions must be identified by each department head to the HR Director at least 75 days prior to the beginning of the season.
- 6.14.a.ii Human Resources must submit each proposed Seasonal position to the DUA for review at least 60 days prior to the beginning of the season on Form 1872 available from the DUA.
- 6.14.b Upon receipt of an approved Seasonal Certification from the DUA, the position may be filled as a Seasonal employee. Any and all documentation received from the DUA shall remain on file and accessible for not less than 10 years in the Human Resources Department office.
- 6.14.c Such Seasonal Designation and Certification by the DUA makes the employer exempt for unemployment insurance benefits directly associated with seasonal work, provided certain steps are taken.
- 6.14.d If a submission for Seasonal Designation and Certification is denied by the DUA, the Town has the right to appeal the determination within 10 days of the mailing date of the determination.
- 6.14.e DISPLAY – in multiple places the Town shall display the Seasonal Determination and Certification (Form 1875). The displaying of information is required for inspection by employees.
- 6.14.f NOTIFY – seasonal employees, prior to their hire or immediately following the seasonal determination, shall be provided a copy of the Notice to Employee – Certification as a Seasonal Employer (Form 1876) provided by the DUA, designating his/her position as seasonal.
- 6.15 Civil Service Application
- Designated Seasonal positions filled by employees, as either part-time or full-time, for the following periods of employment within a 12-month period are exempt from Civil Service laws and rules:
- 6.15.a Beginning no earlier than May first and ending no later than September thirteenth;
- 6.15.b Beginning no earlier than November first and ending no later than April first.

