

# ESSEX REGIONAL RETIREMENT SYSTEM

Established 1937

## EMPLOYEE HANDBOOK



Effective: January 1, 2020

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## **YOUR CAREER WITH THE ESSEX REGIONAL RETIREMENT SYSTEM**

Welcome to the Essex Regional Retirement System (ERRS). This Employee Handbook is designed to provide employees with guidance on working at ERRS and with an overview of some of the more significant operational requirements. It is our hope that by referring to this Employee Handbook as a guide, employees will have a better understanding of our practices and expectations, thereby limiting the possibilities for conflict and misunderstandings.

Career development is an integral part of our philosophy. Do not hesitate to make the Executive Director aware of your career goals. The Executive Director can assist you through a variety of resources that are available to the employees of ERRS. Training, educational programs and participation in various aspects of ERRS operations can be arranged to fit the career objectives of each employee.

ERRS is committed to developing and recognizing excellence in its employees, and towards that end utilizes a performance appraisal process. Performance appraisals help foster meaningful and specific goals, and are used to help clarify expectations. Over time, periodic performance appraisals can become the basis for long-term career development at ERRS, including merit raises and promotions. Working with our employees, ERRS strives to create an atmosphere of professionalism and productivity, and also to establish an environment in which each employee can reach his or her maximum potential. You can take an active role in continuously improving your performance, and are encouraged to do so.

Conversely, negative performance must be addressed in a clear and consistent manner for the good of the organization, our stakeholders and the employee involved. You are encouraged to review this Employee Handbook and to develop a better understanding of the expectations for employees, and some of the mechanisms by which unacceptable performance will be addressed.

ERRS is here to serve those who have dedicated themselves to a career in public service. We are supported by the contributions of our members and by the taxpayers through our units. Our fiduciary duty to our stakeholders requires that we work as professionally and efficiently as possible.

## EMPLOYEE HANDBOOK ACKNOWLEDGEMENT RECEIPT

The ERRS Employee Handbook provides a summary of significant operational practices, policies, procedures, performance expectations, and employee benefits. It is subject to change over time for a variety of reasons in the sole discretion of the ERRS Board Members (“Board”). The Employee Handbook will be distributed to employees at the time of hire and re-distributed periodically thereafter. Each time the Employee Handbook is distributed, employees will be asked to sign this Receipt, acknowledging their receipt of the latest version of the Employee Handbook.

### RECEIPT

By signing below, I acknowledge that I have received the ERRS Employee Handbook on the day noted, and I understand that I am expected to read the Employee Handbook and to become familiar with the information contained therein.

The contents of the Employee Handbook are presented as a matter of information. The Employee Handbook can be amended by the Board Members at any time, for any reason, in its sole discretion. It is specifically understood and agreed that the Employee Handbook is provided to me for informational purposes only, and is not intended to create a contract of any kind. I understand and acknowledge that the Employee Handbook is not a contract of employment or continuing employment between myself and ERRS. It is further understood that neither the Employee Handbook nor any policy or practice of the ERRS is a guarantee or promise of employment or continuing employment.

**I understand that all employment at the ERRS is employment-at-will. This means that I am not hired for any definite period of time. I further understand that I am an at-will employee and that my employment can be terminated at any time by either myself or ERRS for any reason, with or without cause, and with or without prior notice either by ERRS or myself. I confirm that no contrary promises or representations have been made to me.**

ERRS policy requires all employees to be hired at-will, and this policy cannot be changed except by a written document signed by the employee and the Board Members as described herein and specifically changing the employee’s at-will employment status. My at-will employment status has been fully explained, and I have been given an opportunity to ask any questions regarding my at-will employment status.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Printed Name

Please sign and return the original of this Employee Handbook Acknowledgement Receipt to the Executive Director within seven (7) days of receipt. Please retain a copy for your records.

## **EMPLOYMENT AT WILL**

**This Employee Handbook is provided for your information and guidance. Nothing contained in this Employee Handbook constitutes a contract of employment, including but not limited to a contract of employment. No policy, practice, statement or any other material contained in the Employee Handbook constitutes a guarantee that your employment will continue for any specified period of time or end only under certain conditions.**

**All employment at ERRS is at-will, which means it can be terminated by you or by ERRS at any time, with or without notice, for any lawful reason or for no reason at all. Additionally, the terms and conditions of your employment, including compensation, benefits and privileges, can be changed, suspended or terminated at any time, with or without notice, in the sole discretion of the Board of Directors of ERRS except as otherwise prohibited by law.**

**Only a duly-authorized and executed written agreement between the Board Members of ERRS and an employee can alter the at-will status of an ERRS employee.**

## **EQUAL EMPLOYMENT OPPORTUNITY**

The Essex Regional Retirement System (ERRS) provides equal employment opportunities to all qualified persons, and administers all aspects and conditions of employment without regard to race, religion, color, sex, gender, sexual orientation, genetic information, pregnancy, age, national origin, ancestry, physical or mental disability, medical condition, marital status, ethnicity, citizenship status, veteran status, uniformed military service, or any other protected classification, in accordance with all applicable federal, state and local laws.

This policy extends to all aspects of the employment relationship, including recruiting, hiring, training, promotions, compensation, benefits and termination. ERRS seeks to create a work environment in which diversity and inclusion are embraced and individuals are hired and advanced on the basis of merit.

ERRS strictly prohibits all forms of unlawful discrimination, harassment and retaliation, whether committed by or against directors, employees, coworkers, vendors or visitors. Unlawful discrimination, harassment and retaliation are inconsistent with a work environment which promotes excellence, efficiency and productivity.

These prohibitions against discrimination, harassment and retaliation apply to conduct based on race, color, sex, religion, national origin, age, disability, genetic information, sexual orientation, gender identity or expression, marital status, veteran's status, citizenship status, veteran status, military service, or any other basis prohibited by law.

Employees should immediately report any concerns or information pertaining to unlawful discrimination or harassment to the Executive Director. If your complaint cannot be reported to the Executive Director, you should contact a member of the Board, and your complaint will be appropriately addressed. ERRS will promptly investigate and seek to resolve any complaint of unlawful discrimination or harassment. All employees are expected to cooperate fully in such investigations.

ERRS prohibits any form of retaliation against any employee who has made a complaint or participated in an investigation of discrimination or harassment. Retaliation includes any adverse action taken solely because an employee has engaged in such activity.

If you believe that you have been subject to any retaliatory treatment, you should immediately report your concern to the Executive Director or a member of the Board, as detailed above.

## **SEXUAL HARASSMENT**

It is the goal of the ERRS to promote a work place that is free of sexual harassment. Sexual harassment of employees occurring in the workplace or in other settings in which employees may find themselves in connection with their employment is unlawful, and will not be tolerated by ERRS.

Further, any retaliation against an individual who has complained about sexual harassment or retaliation against individuals for cooperating with an investigation of a sexual harassment complaint is similarly unlawful and will not be tolerated. To achieve our goal of providing a workplace free from sexual harassment, the conduct that is described in this policy will not be tolerated and we have provided a procedure by which inappropriate conduct will be dealt with, if encountered by employees.

ERRS takes allegations of sexual harassment seriously. We will respond promptly to complaints of sexual harassment, and where it is determined that such inappropriate conduct has occurred, we will act promptly to eliminate the conduct and impose corrective action as is necessary. This includes disciplinary action, up to and including termination of employment, where appropriate.

Please note that while this policy sets forth our goals of promoting a workplace that is free of sexual harassment, the policy is not designed or intended to limit our authority to discipline or take remedial action for workplace conduct that we deem unacceptable, regardless of whether that conduct satisfies the definition of sexual harassment.

## **DEFINITION OF SEXUAL HARASSMENT**

"Sexual harassment" means sexual advances, requests for sexual favors, and verbal or physical conduct of a sexual nature when:

- 1) Submission to or rejection of such advances, requests or conduct is made either explicitly or implicitly as a term or condition of employment or as a basis for employment decisions; or
- 2) Such advances, requests or conduct have the purpose or effect of unreasonably interfering with an individual's work performance by creating an intimidating, hostile, humiliating or sexually offensive work environment.

Under these definitions, direct or implied requests by a supervisor for sexual favors in exchange for actual or promised job benefits such as favorable reviews, salary increases, promotions, increased benefits, or continued employment constitutes sexual harassment.

The definition of sexual harassment is broad, and in addition to the above examples, other sexually oriented conduct, whether it is intended or not, that is unwelcome and has the effect of creating a work place environment that is hostile, offensive, intimidating, or humiliating to male or female workers may also constitute sexual harassment.

While it is not possible to list all those additional circumstances that may constitute sexual harassment, the following are some examples of conduct which, if unwelcome, may constitute sexual harassment depending upon the totality of the circumstances including the severity of the conduct and its pervasiveness:

- Unwelcome sexual advances - whether they involve physical touching or not;
- Sexual epithets, jokes, written or oral references to sexual conduct, gossip regarding one's sex life, comment on an individual's body, comment about an individual's sexual activity, deficiencies, or prowess;
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- Displaying sexually suggestive objects, pictures, cartoons;
- Unwelcome leering, whistling, brushing against the body, sexual gestures, suggestive or insulting comments;
- Inquiries into one's sexual experiences; or
- Discussion of one's sexual activities.

As stated above, retaliation against an individual who has complained about sexual harassment, and retaliation against individuals for cooperating with an investigation of a sexual harassment complaint, is unlawful and will not be tolerated by ERRS.

#### COMPLAINTS OF SEXUAL HARASSMENT

Any employee who believes he or she has been subjected to sexual harassment, or has otherwise witnessed sexual harassment, is encouraged and expected to discuss the matter immediately with the Executive Director or, if the matter cannot be discussed with the Executive Director, with a member of the Board. Any employee believing that he or she



has been subjected to sexual harassment has the right to file a complaint with the Executive Director or, (in the situation described above), with a member of the Board. The Executive Director is also available to discuss any concerns you may have and to provide information to you about our policy on sexual harassment and our complaint process

### SEXUAL HARASSMENT INVESTIGATION

When the ERRS receives a complaint, we will investigate the allegation in a fair and expeditious manner. The investigation will be conducted in such a way as to maintain confidentiality to the extent practicable under the circumstances. Our investigation will generally include a meeting with the person filing the complaint, with the person or persons alleged to have committed sexual harassment, and with any witnesses or other appropriate individuals. When we have completed our investigation, we will, to the extent appropriate under the circumstances, inform the person filing the complaint and the person alleged to have committed the conduct of the results of that investigation.

If it is determined that inappropriate conduct has occurred, we will act promptly to eliminate the offending conduct, including imposing appropriate disciplinary action. Such action may range from counseling to termination of employment, and may include such other forms of disciplinary action as we deem appropriate under the circumstances.

### STATE AND FEDERAL REMEDIES

In addition to the above, if you believe you have been subjected to sexual harassment, you may file a formal complaint with one or both of the government agencies set forth below. Using our complaint process does not prohibit you from filing a complaint with these agencies. Each of the agencies has a short time period for filing a claim (MCAD 300 days; EEOC 300 days).

The Massachusetts Commission Against Discrimination  
One Ashburton Place, Room 601  
Boston, MA 02108  
617-994-6000

The U.S. Equal Employment Opportunity Commission  
Boston Area Office  
John F. Kennedy Federal Building  
Fourth Floor, Room 475  
Boston, MA 02203  
617-565-3200

## **REASONABLE ACCOMMODATION**

ERRS is committed to providing equal access to employment opportunities for qualified individuals with disabilities or handicaps, and recognizes that some employees with disabilities may require reasonable accommodations to enable them to perform the essential functions of their jobs. If you have a disability and require a reasonable accommodation in connection with your employment, please make a request to the Executive Director.

Requests for accommodations are voluntary, and will be treated in a confidential manner, to the maximum extent possible under the circumstances. The ERRS may, however, request information from your medical providers concerning your condition, restrictions in performing job functions, and proposed accommodation. Any medical information obtained during this process will be kept confidential as required by applicable law, and will generally only be disclosed to the extent necessary to evaluate and implement any accommodation(s), or as otherwise required by law.

## **HOURS OF EMPLOYMENT AND OVERTIME**

The offices of the ERRS will be generally open from 8:30 a.m. to 4:30 p.m., Monday through Friday, excepting those days approved as holidays by the Board.

The regular work week for a full-time employee is 37.5 hours plus a 30-minute unpaid lunch break each day. Overtime compensation is provided to non-exempt employees<sup>1</sup>, and is paid at a rate of one and one-half times the employee's regular rate of pay for work exceeding 40 hours in one work week. A work week is defined as Sunday through Saturday. All overtime work must be approved in writing by the Executive Director in advance of the time worked.

Compensatory time will not be granted to employees of ERRS.

Employees shall be provided an unpaid lunch break each day of not less than 30 minutes. Lunch breaks shall be taken between the hours of 12:00 p.m. and 2:00 p.m. each day. Employees are free to leave the ERRS offices during their lunch break. Employees who choose to take a lunch break at their desk may not thereafter request to leave the premises for a lunch period.

Employees may take up to two paid breaks per day. All break periods shall be no more than fifteen minutes in length and must be taken between the hours of 10:00 – 11:00 a.m. or 2:00 – 3:00 p.m. Employees may take only one break during each break period. Scheduling of all breaks is subject to operational needs and the approval of the Executive Director.

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<sup>1</sup> Please see the section entitled Employee Classifications for additional information on salaried, hourly, exempt and non-exempt status.

Any exception to the lunch and break schedule must be approved by the Executive Director or senior person in charge, as designated by the Executive Director.

## **ATTENDANCE**

Good attendance, reporting to work on time, and working your assigned schedule are essential to ERRS' success. Occasionally illness or other compelling personal situations may cause you to arrive late, leave early or be absent from work. In these situations, you must follow the procedures below. Failure to follow these procedures will result in disciplinary action.

For any absence, lateness, early departure, or any unauthorized absence from the workplace during the workday, you must provide to the Executive Director as much notice as possible. If you are going to be either absent or late, you must notify the Executive Director via a phone call no later than the scheduled start of the workday. If you are initially unable to make the call yourself, you should have a family member or friend call the Executive Director, and you should thereafter call the Executive Director personally as soon as you are able to do so.

If an employee is going to be late arriving to work by fifteen minutes or more, it is required that the late arriving employee phone the office and provide their expected arrival time. Repeated failure to notify the office by phone of a late arrival of fifteen minutes or more will result in disciplinary action.

If you cannot reach the Executive Director, you should leave a voicemail indicating your absence/late arrival, and the time of your call. You should then call back at a later time until you do speak with the Executive Director or his/her designee. If you leave a voicemail, you must also leave a number where you can be reached. If the Executive Director is out or unavailable for the day, you should contact the employee designated for this purpose by the Executive Director following the same procedure as described above.

Prior to leaving the office each business day, employees are expected to notify the Executive Director that they are departing.

Excessive or unacceptable patterns of absences, lateness, early departures or unauthorized absences from the workplace during the workday, or a failure to contact the Executive Director in the manner described herein, will lead to disciplinary action, up to and including termination of employment. If you are absent for three or more consecutive workdays without following any of the procedures described in this section, you may be deemed as having resigned your employment.

Notifications for planned time off are covered in the section entitled Leave Policies.

## **DRESS AND APPEARANCE**

All employees of ERRS shall dress at all times in a manner that reflects the highest standard of professionalism. Appearance is an important part of how ERRS is perceived by the public and its stakeholders. How each ERRS employee interacts with retirees, members, other stakeholders and the public reflects on the entire organization.

Each employee is expected to conduct themselves at all times in a manner that is courteous, patient and professional.

Employees should dress appropriately in business casual attire when working in the ERRS office. Employees should also dress appropriately for public or Board meetings. At all times, you are expected to present a clean, neat and professional image.

Clothing in the workplace should not be provocative or disrespectful to colleagues or the public. Inappropriate clothing items include but are not limited to jeans, sneakers, tank tops, halter tops, muscle shirts, clothing with foul language or obscene images, torn clothing, sweat pants or sweat suits, hats or flip-flops. If you have any questions about whether a particular garment is appropriate workplace attire, you should consult with the Executive Director before wearing that garment to work.

Any employee who comes to work in inappropriate attire may be counseled and sent home to change clothing. Any non-exempt employee sent home to change clothing will have time deducted from their vacation accrual, or other accrued benefit time, for as long as they are out of the office for this purpose. Two or more violations of this policy may result in corrective action up to and including termination of employment.

ERRS will make reasonable accommodations with respect to clothing or other appearance issues relating to an employee's religious beliefs. Employees with any questions or concerns should consult with the Executive Director.

## **WORKPLACE VIOLENCE**

Threats or acts of violence, whether committed by or against ERRS employees, vendors or visitors in the workplace and whether verbal or physical will not be tolerated. Any employee who threatens or perpetrates a violent act will be subject to disciplinary action, up to and including termination. Employees who pose a direct threat to the safety or health of individuals in the workplace will be immediately placed on leave pending investigation and/or appropriate disciplinary action.

Firearms, weapons and other dangerous, hazardous, or illegal devices or substances are prohibited from the ERRS offices or any location where an ERRS employee is acting in the course of his/her employment.

Employees should immediately report all acts or threats of violence as soon as possible to the Executive Director. This obligation includes threats by and/or directed to employees,

vendors or visitors. When making a report, the employee should be as specific and detailed as possible. **If an employee finds him or herself in a situation where he or she believes that his or her personal safety (or the safety of co-workers) is immediately threatened, the employee should contact law enforcement officials by dialing 9-1-1.** Employees should report all acts or threats of violence without fear of reprisal or retaliation. No employee will be subject to discipline for communicating any good-faith concerns about workplace safety.

ERRS encourages employees who apply for or obtain a restraining order, or other form of protective order, to advise the Executive Director to discuss appropriate safety in the workplace. ERRS will maintain confidentiality in such situations to the extent practicable under the circumstances.

## **WORKERS COMPENSATION INSURANCE**

ERRS provides workers compensation insurance for work-related injuries or illnesses. The workers compensation information is posted in the reception area of suite 202. In the event you become injured or witness an injury during work hours, you must immediately report it to the Executive Director. Employees should report all nonfunctioning hazardous office equipment to the Executive Director.

To ensure that all work-related injuries and accidents are properly reported and addressed, employees are required to take the following actions:

1. **REPORT** every injury to the Executive Director **IMMEDIATELY**.
2. Follow the direction of the Executive Director with respect to obtaining medical care and/or consultation following the injury. (Call 9-1-1 immediately in the case of any emergency situation).
3. All employees are required to prepare and/or assist in the preparation of a Report of Injury. These reports are required by state law, and must be completed to ensure proper administration of the Workers Compensation Insurance process.
4. Follow all medical advice, and concentrate on recuperating as quickly and safely as possible.
5. **REPOUND** to requests from ERRS and/or our insurer seeking information about the injury and your medical condition.
6. Follow any medical restrictions, both at home and at work, and accept light duty assignments if available and medically appropriate during your recuperation.

## **SMOKING**

In compliance with Massachusetts law, ERRS is a smoke-free workplace, and smoking is not permitted in the ERRS offices. Employees wishing to smoke should do so during their break times, outside the ERRS office, in designated smoking areas, and in accordance with local ordinances and any posted directions.

## **DRUG FREE WORKPLACE**

ERRS is dedicated to providing employees with a workplace that is free of drugs and alcohol. Substance abuse is incompatible with health, safety, efficiency, and success at ERRS. Employees who are under the influence of a drug or alcohol on the job endanger the employee's own health and safety and the health and safety of others. Substance abuse also gives rise to other work-related problems, including absenteeism and tardiness, substandard job performance, increased workloads for coworkers, behavior that disrupts other employees, and delays in the completion of assigned duties.

Any employee found to be under the influence of alcohol, illegal drugs, or the improper use of prescribed medication will be subject to discipline, up to and including termination of employment.

ERRS reserves the right to test any employee for the presence of alcohol or illegal drugs based upon reasonable suspicion that the employee has reported to work in an impaired condition.

Any employee found to use, sell, possess or distribute alcohol or any illegal or unauthorized drugs while in the ERRS offices or at an ERRS sanctioned event is subject to disciplinary action, up to and including termination of employment. Law enforcement may be notified in such situations and any such substances will be subject to confiscation.

Any employee taking prescribed medication should consult with his/her medical professional to determine whether the drug may affect his or her personal safety or ability to perform the essential functions of the job. In such circumstances, the employee should notify the Executive Director. ERRS will keep such information confidential to the extent practicable under the circumstances and, as noted above, will provide a reasonable accommodation to the employee where possible.

## **SAFEGUARDING PERSONAL INFORMATION**

The records and files of the Essex Regional Retirement System contain information which is considered under the law to be personal and confidential, including, but not limited to, medical records, domestic relations orders, income tax filings, residential addresses, dates of birth, telephone numbers and social security numbers of members and beneficiaries of ERRS and their family.

Employees acknowledge that in assisting the Essex Regional Retirement System with the implementation and administration of the provisions of Chapter 32 of the Massachusetts General Laws, they are acting in a strictly confidential capacity.

***Employees acknowledge that they have a duty to maintain the confidentiality of personal and confidential information obtained while assisting ERRS. As required by the applicable provisions of Massachusetts General Law, Chapter 66A, employees will swear and affirm that they will maintain all information and knowledge obtained through employment with the Essex Regional Retirement System as confidential to those outside the Essex Regional Retirement System, and to those employees within the Essex Regional Retirement System to whom the disclosure of confidential information is not required.***

No personal or private information should ever be transmitted by an employee of ERRS, except where such information is transmitted to an authorized person and in a manner that complies with the relevant statutes and regulations, as well as best practices associated with the management of personal data. Employees are responsible for familiarizing themselves with the laws, rules, regulations and policies governing the safeguarding of personal information. Employees with any questions should discuss their concerns with the Executive Director.

Employees have an obligation to safeguard personal and confidential information in their possession by:

- Protecting it from misuse by third parties;
- Not disclosing it to any unauthorized person;
- Not using it or permitting it to be used for any unauthorized purpose;
- Collecting, using, transmitting and disclosing it only for the performance of your assigned job duties, and;
- Appropriately disposing of it in accordance with the Public Records Laws of the Commonwealth and the procedures recommended by the Public Employee Retirement Administration Commission (PERAC).

Employees are encouraged to provide suggestions for improving ERRS security protocols, and are required to immediately report anything that might compromise the security of the information controlled by ERRS. Once your employment with ERRS ends, you are responsible for returning any and all confidential information you may have in your possession. Failure to do so may constitute a violation of the law.

Employees must adhere to the policies and practices of ERRS when handling protected or personal information. This includes using only ERRS approved devices or locations to store or save protected or personal data. Employees should not store or save data



containing protected or personal information to either their own devices or to a device or location not authorized by ERRS.

## **ELECTRONIC EQUIPMENT, COMMUNICATIONS AND POLICIES**

All ERRS electronic equipment, including computers, fax machines, copiers and telephones are the property of ERRS and are provided for the primary purpose of performing the duties of your position and conducting the business of ERRS. As further discussed below, **employees should have no expectation of privacy concerning their usage of any electronic equipment owned by ERRS, including messages sent, received or stored or ERRS e-mail systems, or any information viewed, downloaded or otherwise accessed on the Internet via ERRS-owned devices.**

The following information is provided to guide you in the proper use of ERRS' electronic equipment and communications.

Employees are encouraged to use the Internet appropriately. Unacceptable usage of the Internet can place ERRS at risk and will subject an offending employee to disciplinary action, up to and including termination of employment. Employees should follow these guidelines for using the Internet and e-mail in an appropriate, ethical and professional manner.

ERRS Internet and e-mail access may not be used for:

- Transmitting, retrieving or storing of any communications of a defamatory, discriminatory or harassing nature, or materials that are pornographic, sexually suggestive, lewd or otherwise offensive. No messages with derogatory or inflammatory remarks about an individual's race, age, disability or medical condition, religion, national origin, physical attributes, sexual preference or any other classification protected by law shall be transmitted. Harassment of any kind is prohibited.
- Disparaging, abusive, profane, or offensive language.
- Any illegal activities – including piracy, hacking, extortion, blackmail, copyright infringement, and unauthorized access to any computers on the Internet or e-mail.
- Obtaining access to other companies' or individual's copyrighted materials. ERRS employees must respect all copyrights and may not copy, retrieve, modify or forward copyrighted materials, except with permission or where legally authorized to do so as a single copy to reference only. If you find something on the Internet that may be interesting to others, do not copy it to a network drive. Instead, give the URL (uniform resource locator or "address") to the person who may be interested in the information and have that person look at it on his / her own.



- Excessive dial-in usage, sending or receiving many large files and “spamming” (sending e-mail messages to multiple users except where authorized to do so for work purposes.)

The Internet is full of useful programs that can be downloaded, but some of them may contain computer viruses that can extensively damage our computers and network. Be sure to virus-check downloaded files immediately. If you have any doubt about any program or file you are downloading, check with the Executive Director or appropriate IT personnel prior to downloading the document. Also, many browser add-on packages (called “plug-ins”) are available to download. There is no guarantee that such will be compatible with other programs on the network and may cause problems. Therefore, please refrain from downloading such plug-ins unless authorized to do so by the Executive Director or appropriate IT personnel.

Each employee is responsible for the content of all text, audio or images that he/she places or sends over ERRS’ Internet and e-mail system. No e-mail or other electronic communications may be sent which hides the identity of the sender or represents the sender as someone else. Also, be aware that ERRS’ name is attached to all messages so use discretion in formulating messages.

E-mail is not guaranteed to be private or confidential. All electronic communications are ERRS’ property and should be presumed to be public information. Therefore, **ERRS reserves the right to store, copy, examine, monitor and otherwise regulate e-mail messages, directories and files, as well as Internet usage.** Also, the Internet is not secure so do not assume that others cannot read or possibly alter your messages. Also, be aware that e-mail messages, directories and files, as well as Internet usage history may be public records and, as such, must be made available to any citizen or media outlet upon request.

Internal and external e-mail messages may be subject to discovery in the event of litigation. Be aware of this possibility when sending e-mail within and outside ERRS.

All ERRS-supplied technology, including computer systems, laptops and iPads, and ERRS-related work records, belong to the ERRS and not the employee, and should be considered public property or public records. ERRS routinely monitors usage patterns for its e-mail and Internet communications. Although encouraged to explore the resources available on the Internet, employees should use discretion in the sites that are accessed.

Since all the computer systems and software, as well as the e-mail and Internet connection, are ERRS-owned, all ERRS policies are in effect at all times. Any employee who abuses the privilege of access to e-mail or the Internet, or who uses such access for unlawful purposes or any purpose inconsistent with this policy or any other policy of ERRS, may be denied access to the Internet and, if appropriate, be subject to disciplinary action up to and including termination.

The telephones of ERRS are to be restricted to business calls to the extent practicable. All employees are required to be professional and conscientious at all times when using ERRS phones.

Employees of ERRS may use electronic communications equipment and services for personal matters from time to time. However, ERRS electronic communications equipment and services may not be used for social networking activities. Excessive personal use of ERRS electronic communications equipment and services interferes with your job performance. Therefore, while some personal use is permitted, it should be very limited, and must otherwise comply with this and other applicable policies, and may be monitored. Excessive and repeated personal use of ERRS electronic communications equipment may subject an employee to discipline, up to and including termination of employment.

Employees may not, under any circumstances, use ERRS' electronic equipment and services for political or commercial purposes. Employees may not, under any circumstances, use ERRS' electronic equipment and services to access on-line gambling sites.

Employees may not, under any circumstances, use ERRS' electronic equipment and services for the purpose of misrepresenting either the System or a person's role within the System. Employees may not, under any circumstances, use ERRS' electronic equipment and services to libel or otherwise defame any person.

**Since your use of ERRS' electronic communications equipment and services is always subject to monitoring, you should have no expectation of personal privacy when you use electronic communications equipment and services for any reason, including for personal use. To the contrary, you should expect that your use of electronic communications equipment and services will be monitored and is subject to review and disclosure under the public records laws of the Commonwealth. Any improper use, removal or theft of electronic communications equipment and services will result in disciplinary action up to and including termination of employment.**

Employees are responsible for securing ERRS' electronic communications equipment and services, including laptops, cell phones, PDA's, etc. When traveling, equipment must not be left unattended or unsecured. Passwords must be used, kept confidential, and changed frequently. Employees are responsible for immediately notifying the Executive Director anytime they believe that equipment, data, or passwords may have been lost, stolen, or otherwise compromised. ERRS employees may not remove from ERRS offices any electronic device unless they first receive approval from the Executive Director.

Employees should also be aware of the record retention schedules and regulations of the Commonwealth. Employees should familiarize themselves with the recommended records retention practices provided by PERAC. Appropriate handling of public records and private data is the responsibility of the employee and all steps at proper compliance should be taken at all times.

Personal cell phones or other electronic devices should be kept on silent mode or otherwise set so as not to disturb your coworkers. The use of ear pieces or other devices to listen to streaming or music services is not recommended and such devices may only be used upon receipt of permission by the Executive Director and if such use will not disrupt the safe and efficient operation of the retirement office.

## **SOCIAL MEDIA**

Employees may not use social media to disseminate statements, photographs, video, or audio that could reasonably be viewed as malicious, obscene, threatening, or intimidating toward employees, members, retirees or any other people or organizations affiliated with the ERRS. This includes, but is not limited to, posts that could contribute to a hostile work environment on the basis of race, sex, sexual orientation, disability, religion, national origin, or any other status protected by state or federal law.

When using social media, employees must maintain the confidentiality of protected information at all times. Confidential information includes, but is not limited to, private personal information, health information, or any other documentation protected by law or ERRS policies.

Employees may not use social media to represent themselves as a spokesperson for ERRS unless requested to do so by the Executive Director.

Employees may not use ERRS email addresses to register for social media accounts unless doing so at the request of management.

## **MEDIA INQUIRIES, SPEECHES AND PUBLICATIONS**

ERRS is a public agency and as such seeks to be responsive to its retirees, members, units and the public. All inquiries from ERRS stakeholders should be addressed in a timely fashion, and in a manner that provides the maximum appropriate information possible. It is also vital to ensure that a proper and consistent response is provided to ERRS' stakeholders.

Therefore, any media inquiries received by employees of ERRS should be immediately referred to the Executive Director. Also, all requests for speeches or attendance at meetings should also be referred to the Executive Director. The Executive Director may direct from time to time that employees respond to media inquiries or attend certain meetings on his/her behalf, but employees should refrain from any public comment on behalf of the ERRS unless expressly authorized to do so by the Executive Director.

ERRS may also provide notices or publications to its retirees, members and the public. Employees are required to participate in ensuring that any publications issued by ERRS are informative, professional and timely.

## **HIRING**

The Executive Director is responsible for all hiring at the ERRS. Only the Executive Director, subject to the approval and authorization of the Board, may extend an offer of employment at the ERRS.

An appointment to a position with ERRS shall be effective only upon a vote of the Board Members approving the candidate recommended by the Executive Director, or upon a vote of the Board specifically authorizing the Executive Director to offer employment to a candidate for a specified position. The Board Members may waive this requirement at their discretion.

## **PRE-EMPLOYMENT SCREENING**

During the hiring process, ERRS may conduct a job-related background check of successful applicants. This background check may include prior employment verification, professional reference checks, confirmation of education, licenses and/or degrees, a CORI criminal record check, and/or a credit check. Third-party services may be utilized to perform these checks. Employees will be notified of and required to authorize pre-employment screening where required by law.

A pre-employment physical will be required of all new hires to establish an individual's ability to successfully perform essential job functions.

All offers of employment at ERRS are conditional upon the successful completion of all background checks and the pre-employment physical.

## **INTRODUCTORY PERIOD**

All appointments of new employees and all appointments or promotions of existing employees will be subject to a six-month introductory period from the effective date of appointment. The purpose of the introductory period is to provide an opportunity to determine whether the employee is able to carry out the duties and responsibilities of the position.

Successful completion of the introductory period does not guarantee continued employment for any specified period of time, nor does it change the at-will employment relationship between the employee at ERRS. An employee who successfully completes the introductory period remains an employee at will, meaning that his/her employment relationship **can be terminated by the employee or by ERRS at any time, with or without notice, for any lawful reason or for no reason at all.**

A former employee who has been rehired after a separation from ERRS of more than one year is subject to the introductory period as described herein.

## **POSITION DESCRIPTIONS**

Employees are responsible for reading and understanding all aspects of their job description. Employees are further responsible for performing all the requirements contained in the job description regardless of whether all such duties are addressed in any performance review, or whether specific direction is provided. Further, employees are expected to perform all duties as directed by the Executive Director, including any and all duties that are necessary to the success of ERRS whether or not such duties are specified in their job description.

## **EMPLOYEE CLASSIFICATIONS**

All ERRS employees are classified as exempt or non-exempt based upon applicable legal criteria, and are classified as regular, full-time or part-time based upon their schedule of work.

An exempt employee is one whose position meets specific requirements established by applicable federal and state law. Exempt employees are exempt from overtime pay and/or the receipt of compensatory time off for work in excess of forty (40) hours in one workweek. A non-exempt employee receives overtime pay (in an amount of one and one-half his/her hourly rate) for hours worked in excess of forty (40) hours in one workweek.

Regular, full-time employees shall work no less than 100% of the scheduled work hours in a workweek on a fixed schedule. A scheduled work week shall be no less than 37.5 hours plus a 30-minute lunch break per day. Regular, full-time employees are eligible for all benefits offered by ERRS.

Regular, part-time positions may be established by the Executive Director, subject to the approval of the Board. A regular, part-time employee is scheduled to work less than 37.5 hours but no less than 22.5 hours per week. Regular, part-time employees are eligible for vacation, sick and holiday pay on a pro-rated basis. Regular, part-time employees are eligible for other benefits at the discretion of the Board or as provided by law.

Other part-time, temporary or seasonal positions may be created from time to time. Part-time, temporary or seasonal employees shall not be eligible for the benefits offered by ERRS.

Interns who may be employed by ERRS are not eligible for the benefits offered by ERRS and are subject to the conditions of the program under which they are selected and to any other conditions established by the Executive Director or the Board.

## **PERSONAL INFORMATION / ACCESS TO PERSONNEL FILE**

Employees are responsible for notifying the Executive Director of any changes in their personal or contact information.

Personnel files have restricted access. In the event that you wish to review or copy your personnel file, you may do so upon a written request and in the presence of the Executive Director or his designee.

## **SOLICITATION AND DISTRIBUTION**

Solicitation or distribution of literature on ERRS premises by non-employees is prohibited.

Solicitation for any purpose by employees is prohibited during the working time of both the employee engaging in the solicitation, and the employee being solicited. Working time is any time in which the employee is scheduled or assigned for duty, and does not include authorized lunch breaks or break time.

Distribution or circulation of notices, leaflets, papers or other items in any area is prohibited during the working time of both the employee(s) engaging in the distribution or circulation, and the employee(s) receiving the distribution or circulation.

Distribution or circulation of notices, leaflets, papers or other items is prohibited at all times in working areas at ERRS. If you have a question as to whether a particular area is a “working area,” please consult the Executive Director.

## **EMPLOYEE PERFORMANCE REVIEWS**

All full-time and regular part-time employees of ERRS shall receive a written performance reviews on a periodic schedule, generally during each calendar year as described below.

An employee performance review will begin with an introductory meeting between the employee and the Executive Director in or near January of each year. At this meeting you will discuss your performance review and your understanding of the expectations contained therein. Approximately six months later, you will receive a mid-year review from the Executive Director. Your performance will be evaluated and you will have the opportunity to meet with the Executive Director to discuss your review. The purpose of the mid-year review is to raise any performance issues before a final evaluation is complete.

In or near December of each year, you will receive your final performance review. The Executive Director will review with you each aspect of the evaluation. The Executive Director will sign the performance review. The employee will also sign the review and have the opportunity to add any comments that are appropriate. An employee’s signature on his/her review is an acknowledgement that you have received the review, and does not necessarily mean that the employee agrees with the evaluation.

The following ratings are currently used in the performance evaluation process (ERRS reserves the right to change this methodology, or to use additional or alternate methodology as it deems appropriate for one or more employees):

<b>RATING</b>	<b>DESCRIPTION</b>
5	Performance consistently exceeds that of experienced and qualified individuals in this position. Performance consistently exceeds all exceptional standards.
4	Performance exceeds that expected of experienced and qualified individuals in this position. Performance always meets and often exceeds standards.
3	Performance is at the level expected of experienced and qualified individuals in this position. Performance meets all standards. The employee is considered to be “fully competent.”
2	Overall performance is significantly poorer than expected of experienced and qualified individuals in this position. Performance is unsatisfactory and needs immediate improvement.
1	Overall performance is unacceptable and must be addressed in a specified period of time or the employee may be subject to disciplinary action up to and including termination.

The Employee Performance Review may be used by ERRS to consider future promotions or compensation adjustments, although such use is not mandatory nor should it be expected.

An employee, who receives a rating of 1 for one or more aspects of their evaluation during their mid-year review, should consider the mid-year review as a written warning that their job performance is unsatisfactory. Failure to improve the job performance from the mid-year review to the final review may result in the termination of employment. The ERRS reserves the right, however, to take additional or more immediate action with respect to unacceptable performance, including but not limited to termination of employment, as circumstances warrant.

## **PROGRESSIVE DISCIPLINE**

ERRS generally encourages the use of progressive discipline as a tool to deal with job-related behavior that does not meet expected and communicated performance standards. The primary purpose for progressive discipline is to assist the employee to understand that a performance problem or opportunity for improvement exists. In addition to the Employee Performance Review process, the Executive Director may also implement a progressive discipline program in an effort to provide the employee with feedback in order to correct the problem.

A progressive discipline program undertaken by the Executive Director may typically include counseling the employee about performance issues and ascertaining the



employee's understanding of the job requirements. It may also include determining whether there are issues contributing to the poor job performance that are not immediately obvious. The typical steps in this process will be to first give the employee a verbal warning and, if the performance fails to improve, provide a written warning. The written warning will typically state a timeframe in which improvements in performance must be made. If no performance improvement is made by the employee, the Executive Director may suspend the employee. Continued failure to improve job performance after suspension(s) will ultimately result in termination.

Each case involving the unsatisfactory job performance of an employee is different and the Executive Director may tailor a progressive discipline program to meet the needs of each individual situation. The use of progressive discipline prior to termination is based upon the judgment and discretion of the Executive Director in each individual case, and ERRS reserves its right to commence discipline at any step, and to skip any or all of the steps detailed above, including but not limited to proceeding with immediate termination of employment, as it deems appropriate in specific circumstances.

Employees are reminded that, notwithstanding the use of progressive discipline tools, all employment at ERRS is employment-at-will, which means that employment may be terminated by the employee or by ERRS at any time and for any lawful reason, or for no reason at all.

## **COMPENSATION**

ERRS employees are paid on a bi-weekly basis. Salaried exempt employees are paid in equal, prorated installments each pay period. Full-time and regular part-time non-exempt employees are paid for hours worked within each pay period based on their applicable hourly rate.

Employees must complete timesheets and sign it in the time period required. If there is a change to your time used at the conclusion of the pay period, please resubmit your timesheet with the appropriate corrections. Your signature indicates that the information contained on the timesheet is true and accurate. You will then submit the timesheet to the Executive Director for approval. Upon approval by the Executive Director, the timesheet will be submitted to payroll for processing and recording.

Failure to submit a timesheet timely, or false or inaccurate recording of time by an employee, will be cause for disciplinary action up to and including termination of employment.

ERRS complies with all applicable federal and state laws regarding the payment of overtime wages. Any overtime work must be assigned or approved by the Executive Director. Working unauthorized overtime, or refusal or unavailability to work overtime is not acceptable work performance and may result in disciplinary action up to and including termination of employment.



Any error in pay received by an employee must be immediately brought to the attention of the Executive Director. Employees should check their pay remittance upon receipt and ensure that their rate of pay and all deductions are correct. Any error in an employee's pay will be adjusted in the next subsequent pay period to the extent practicable.

Employees will receive the salary or hourly rate for their position as established by the Board. No other compensation, other than the salary established by the Board shall be paid. ERRS does not provide additional incentives for things such as educational achievement or not utilizing health insurance, for example. The salary range for each position is established based on the requirements of the job and each employee is placed at a level within the salary range that is based on an evaluation of the individual employee's experience and qualifications.

Employee requests for increases in compensation must be approved by the Executive Director. If a pay increase request is approved by the Executive Director, it shall become effective upon a vote of the Board and subject to any terms or conditions as the Board may require.

Effective as of January 1, 2019, an employee of the retirement system who has been in full-time or regular part-time employment shall be paid in addition to any salary or other compensation received, annual increments as follows:

<b>Length of Service</b>	<b>Payment</b>
Completed five years but less than ten	\$250
Completed ten but fewer than fifteen years	\$500
Completed fifteen years or more	\$750

The longevity payment is in the form of a lump sum. It is to be paid in the first payroll after the completion of the calendar year in which the employee becomes eligible. No payment shall be made under this section except upon a vote of the Board.

## **EXPENSE REIMBURSEMENT**

Employees are eligible for reimbursement for normal business-related expenses provided that such expenses are approved in advance by the Executive Director. All requests for reimbursement must be properly documented and submitted within the time frame required. Employees are responsible for submitting and signing their own requests for reimbursement and, by their signature, are attesting to the truthfulness of their submission. ERRS does not provide tuition reimbursement or educational leaves, although the Board may establish such programs at their discretion.

## LEAVE POLICIES

A regular work week for regular full-time employees is 37.5 hours. All calculations involving full-time employees will be based on a 7.5-hour work day and a 37.5-hour work week. A regular work week for regular part-time employees will be 22.5 hours and all of the calculations contained in this section will be prorated accordingly for regular, part-time employees.

For the purposes of this section, (and unless subject to an alternate definition under applicable law), an “immediate family member” is defined as a parent, spouse, domestic partner, partner in a civil union, child, sibling, grandparent, great grandparent, grandchild, and your spouse’s/domestic partner’s/partner in a civil union’s father, mother, brother and sister.

**VACATION TIME:** Full-time employees of the ERRS shall be entitled to vacation time on the following schedule:

From 1 year to 5 years: 10 days accrued at a rate of 6.25 hours per month.

From 5 to 10 years: 15 days accrued at a rate of 9.375 hours per month.

After 10 years: 20 days accrued at a rate of 12.5 hours per month.

The Executive Director may, subject to the approval of the Board, credit prior work experience to a new employee of the ERRS for purposes of the vacation accrual schedule above.

Vacation time will be taken in blocks of not less than one (1) hour.

Beginning on January 1 of each year, employees shall be limited to no more than ten days vacation to be carried forward into a succeeding year. Further, all vacation time carried over from a prior year shall be taken on or before July 1 of the succeeding year, unless the Executive Director, in his sole discretion, authorizes an extension of this date.

Part-time, temporary, seasonal, and emergency employees shall not accrue vacation and shall not be eligible for vacation pay.

All vacation requests must be submitted to the Executive Director for approval and no vacation time may be used until approved. The Executive Director will grant vacation time as requested, provided that such request does not unduly interfere with the operation of the ERRS. Vacation requests for more than one day must be submitted to the Executive Director no less than twenty-one (21) calendar days in advance. All vacation requests will be granted at the discretion of the Executive Director.

As of January 1, 2019, the calculation of service time with the retirement system for the purposes of vacation accruals shall be based solely on continuous service. Any employee

who leaves the employ of the retirement system and who shall later be re-employed, may not accrue additional vacation leave per the schedule as contained in the ERRS Employee Handbook, until a new five-year period of continuous, full-time employment has been served. If the service of an employee is interrupted by lay-off, military service, or other reason not resulting from the employee's own action, total service will be considered as continuous service. No exceptions to this policy shall be permitted except upon a vote of the Board. Further, no increase in the rate of vacation accrual for any employee of the retirement system shall be granted except upon a vote of the Board.

**SICK LEAVE:** Full-time employees of the ERRS shall accrue sick time at a rate of 1.25 days per month, which may be accumulated up to a maximum of 150 days. All other employees of the ERRS shall accrue sick time at a rate of 1 hour for every 30 hours worked, which may be accumulated up to a maximum of 150 hours. Employees may carry-over all accrued sick leave from one year to the next, subject to the maximum accruals set forth above. Employees will inform the Executive Director when they are taking sick leave in accordance with the notification process described above.

Sick leave may be used for the following purposes: (a) for the employee to care for himself/herself or his/her child, spouse, parent, or spouse's parent due to physical or mental illness, injury or medical condition necessitating care at home, professional medical diagnosis or care, or preventative medical treatment; (b) for the employee to attend routine medical appointments for himself/herself or his/her child, spouse, parent, or spouse's parent; or (c) for the employee to address the physical, psychological or legal effects of domestic violence. Employees must use personal or vacation leave for absences not covered in the above categories. Where employees have exhausted paid benefit time, unpaid leave may be available as a reasonable accommodation for an employee's disability or handicap. See Reasonable Accommodation policy.

A signed certification from a health care provider shall be required of any employee who uses three or more consecutive (8 hour) days of sick leave. This signed certification must be submitted to the Executive Director within two business days of the employee's return to work, or, in the case of an extended absence from work, within a reasonable time period based on the circumstances. Failure to produce a signed certification from a health care provider may result in suspension or other appropriate disciplinary action. Abuse of sick leave privileges shall constitute grounds for disciplinary action, up to and including termination. The Executive Director reserves the right to request supporting documentation in addition to the process described above where abuse of sick leave is suspected.

Sick time will be taken in blocks of not less than one (1) hour.

Accrued sick leave will not be paid out to any employee upon separation from service. This is inclusive of all types of separation from service, including but not limited to resignation, termination or retirement.

**PERSONAL LEAVE:** Full-time employees of the ERRS shall be entitled to a maximum of three personal days which shall be granted as of January 1 of each year. Personal days may be used for any reason. Employees will inform the Executive Director of when they are taking personal time. No personal days may be carried over to the succeeding year.

Part-time, temporary, seasonal, and emergency employees shall not be eligible for personal days.

**COMPENSATORY TIME:** Compensatory time is not granted to employees of the ERRS.

**BEREAVEMENT LEAVE:** If you are a regular full-time or a regular part-time employee of ERRS and you have a death in your immediate family, you may take up to three (3) consecutive paid days off. Additional paid days off may be provided subject to the approval of the Executive Director. At the discretion of the Executive Director, bereavement leave of one (1) day may be available to an employee for the death of an extended family member. An extended family member includes an aunt, uncle, niece, nephew or cousin of the employee.

**JURY DUTY:** If you are called to jury duty you will receive time off with pay for all time actually served as a juror. The Executive Director may ask that you request a postponement of jury duty should the operational needs of ERRS require.

In order to receive paid time off for jury duty service, you must submit proof of court attendance to the Executive Director. When court is not in session or your attendance is not required, you must report to work.

An employee who has received jury fees for jury service shall do one of the following:

1. Retain such jury fees in lieu of paid time off for the period of jury service;
2. Remit to the Board the jury fees for the period involved and instead utilize the paid time off as described herein.

No paid leave shall be granted where an employee is a party to a court proceeding. The foregoing paid leave is available only where the employee is serving as a juror in state or federal court.

**MASSACHUSETTS MATERNITY LEAVE ACT:** Leave under the Massachusetts Maternity Leave Act (the “MMLA”) is provided to female employees who meet the following eligibility criteria:

- 1) the employee must have completed ERRS’s Introductory Period; and
- 2) where possible, the employee must provide at least two weeks’ written notice of her anticipated date of departure; and

- 3) the employee must provide notice of her intention to return to employment with ERRS at the end of her leave.

Purpose and Length of Leave: ERRS will provide eligible employees with eight (8) weeks of unpaid MMLA leave for the purpose of giving birth, or for the purpose of adopting a child under the age of 18 (or under the age of 23 if the child is mentally or physically disabled).

Designation of Leave: ERRS will designate any absence taken for an MMLA-qualifying reason as MMLA leave, and will count such absences against the employee's 8-week entitlement.

***Leave provided under the MMLA will run concurrently with any and all available leave under other applicable laws or benefit programs, to the full extent permitted by law.***

Coordination of MMLA Leave with Available Paid Leave Time: MMLA leave is unpaid leave, except to the extent that an employee is otherwise eligible for and chooses to utilize paid leave including, but not limited to, accrued and unused vacation, sick or personal time. The employee may choose to utilize any or all of her available and applicable accrued time during her MMLA leave, but will not be required to do so.

Where an employee takes an extended maternity leave (i.e., longer than 8 weeks), she will be required to exhaust her accrued paid leave (vacation and personal) for any portion of the leave that is not covered by the MMLA.

Reinstatement: An employee returning to work at the completion of an MMLA leave (of 8 weeks or less) will be restored to her previous position or a similar position, with the same pay and conditions of employment as the position she held prior to the leave.

An employee will not be entitled to more favorable employment terms as a result of taking MMLA leave. Thus, the employee will be subject to any pay or benefit reductions or other adverse actions, including layoff, that she would have experienced if she had not been on leave.

**MILITARY LEAVE:** Pursuant to the requirements of the Uniformed Services Employment and Reemployment Rights Act, (USERRA), employees will receive the following job protections when they leave employment with ERRS to undertake military service, or certain types of service with the National Disaster Medical System, whether such service is voluntary or involuntary.

ERRS does not, and will not, discriminate against past and/or present members of the uniformed services, applicants to the uniformed services, or individuals with obligations to serve in the uniformed services with respect to initial employment, reemployment, retention in employment, promotion or any benefit of employment.

## JOB REINSTATEMENT

Eligible employees will be reinstated by ERRS following the conclusion of their covered uniformed service where the following requirements are satisfied:

- ERRS receives advance written or verbal notice of the service;
- the eligible employee has had five (5) years or less of cumulative military service while employed by ERRS (longer periods may apply where an employee suffers a service-connected injury or illness during military service);
- the eligible employee did not separate from uniformed service with a disqualifying discharge or under other than honorable conditions; and
- the employee applies for re-employment at ERRS within ninety (90) days of the completion of military service, except where the length of service is less than 181 days. Employees serving between 31 and 180 days must reapply to ERRS within 14 days of the completion of military service. Employees serving 30 days or less must reapply to ERRS no later than the beginning of the first regularly scheduled work period commencing eight (8) hours after safe travel home. Longer application periods may apply where an employee suffers a service-connected injury or illness during military service.

An eligible employee meeting the above reapplication timetable will be reinstated to the position and/or seniority he or she would have held had he or she remained in employment with ERRS during the period of covered military service.

## HEALTH INSURANCE

Eligible employees performing covered military service are eligible to elect continued health insurance coverage for up to eighteen (18) months from the date they leave ERRS to commence such military service. For the first thirty days of service, ERRS will continue to make the employer contribution, if any, to the employee's health insurance. For service exceeding thirty days, the employee will be required to pay the full cost of health insurance. These insurance continuation provisions do not alter the rights of an employee and/or family members who may be entitled to additional insurance continuation coverage under COBRA.

**RESERVE / NATIONAL GUARD SERVICE:** Employees who serve in the military reserves, national guard, or other covered temporary military service obligations may take the necessary time off without pay to fulfill this obligation, and will be entitled to continued employment at ERRS subject to applicable law. These employees may apply accrued and unused earned vacation time to the leave if they wish; however, they are not obliged to do so.

You are expected to notify your manager as soon as you are aware of the dates you will be on duty so that arrangements can be made for replacement during this absence.

**OTHER LEAVE:** Leave of absence without pay may be granted to employees for personal reasons up to one month, and may be renewed for two successive one-month increments, not to exceed a total of three (3) consecutive months. Any such request must be authorized by the Executive Director, and is subject to the approval of the Board. Such a request must be submitted to the Executive Director in writing clearly stating the reason for such request. This leave is not available for employees seeking alternative employment.

**UNPAID LEAVE:** Subject to the provisions of any applicable law(s), where an employee has exhausted all available accrued leave as described herein, any employee taking approved leave will be placed in an unpaid leave status for any approved period of time in which he or she is out of work. The employee will note on his/her timesheet that he or she is in an unpaid leave status, and their pay will be adjusted accordingly.

## **EMERGENCY CLOSINGS**

The Executive Director shall determine when employees will not be required to work during weather or other emergencies. Any employee who does not wish to report to work during a weather or other emergency may take vacation or personal leave.

## **HEALTH BENEFITS**

ERRS is a member of the Group Insurance Commission (GIC) and employees are eligible for health and other benefits under the same rules and requirements as employees of the Commonwealth. The Executive Director will designate a benefits coordinator for ERRS and employees should consult with the designated benefits coordinator for health, short-term, long-term and other insurance benefit information. The Board of Directors may vote to approve additional benefits for employees as they deem appropriate.

ERRS also provides a Flexible Spending Account (FSA) benefit for employees for the reimbursement of qualified medical expenses. This benefit is provided by a third-party administrator and the administrative cost of the program is paid for by ERRS.

## **HOLIDAYS**

The holiday schedule is established each year by the Board. In 2019, employees of ERRS were eligible for paid time off for the following holidays:

New Year's Day  
Martin Luther King Day  
President's Day  
Patriot's Day  
Memorial Day



Independence Day  
Labor Day  
Columbus Day  
Veteran's Day  
Thanksgiving Day  
Thanksgiving Friday  
Christmas Day

If a holiday falls on a Saturday, it is observed on the preceding Friday. If a holiday falls on a Sunday, it is observed on the following Monday.

## **SEPARATION FROM EMPLOYMENT**

As noted above, all employment at ERRS is at-will, meaning that it can be terminated by the employee or by ERRS at any time, with or without notice, for any lawful reason or for no reason at all.

Non-exempt employees are requested to provide a minimum of two weeks written notice of their intent to resign employment. Exempt employees are requested to provide a minimum of four weeks written notice of their intent to resign employment. Your notice of resignation to voluntarily terminate employment with ERRS should be submitted to the Executive Director. An exit interview may be requested.

Upon separation of employment, you are to remove your personal possessions from ERRS offices. You will be paid for all accrued and unused vacation and personal time only. Severance pay is not provided to separating employees, unless authorized by the Executive Director, subject to the approval of the Board.

Any ERRS property issued to employees, such as computer equipment, keys, or other items must be returned at the time of termination. Employees will be responsible for any lost or damaged items.

## **AMENDMENT OF THIS HANDBOOK**

The Board reserves the right to amend, supplement, modify, or rescind, in whole or in part, any policy, procedure, practice or benefit offered by ERRS, subject to applicable law, with or without notice. ERRS similarly reserves the right to amend, supplement, modify or rescind, in whole or in part, the content of this Employee Handbook, with or without notice.

Because our policies and procedures are constantly under review, you may receive updates on some or all of the information contained in this Employee Handbook. It is your responsibility to keep yourself informed with regard to all such updates

If you have any questions regarding any aspect of your employment at ERRS, including but not limited to any of the policies, practices or procedures described in this Employee



Handbook, please feel free to discuss them with the Executive Director at any time. Where applicable federal, state or local law is in conflict with any provision of the Employee Handbook, applicable law shall apply.

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