

**TOWN OF STOW HUMAN RESOURCES VOLUNTEER CHECKLIST
FOR ELECTION WORKERS**

- _____ Volunteer Activities Release Form – signed (1 page)
- _____ CORI (Criminal Offender Record Information) Acknowledgement and Information Form (2 pages)
 - Attached copies of acceptable identification
 - Be sure to sign
- _____ Harassment and Sexual Harassment Policy Acknowledgement signed (1 page)
- _____ Workplace Violence Policy Acknowledgement signed (1 page)
- _____ Anti-Fraud Policy Acknowledgement signed (1 page)
- _____ Pregnancy and Pregnancy-Related Conditions Policy Acknowledgement signed (1 page)

Please contact Asst. Town Administrator/HR Director at assttownadmin@stow-ma.gov or (978)897-4175 with any questions. Thank you.



Town of Stow

VOLUNTEER ACTIVITIES RELEASE FORM

I, the undersigned (print name) _____ do hereby consent to my participation in voluntary activities or recreation programs of the Town of Stow.

I also agree to forever release the Town of Stow, and all their employees, agents, board members, volunteers, and any and all individuals and organizations assisting or participating in any voluntary or recreation programs of the Town ("the Releasees") from any and all claims, rights of action, and causes of action that may have arisen in the past, or may arise in the future, directly or indirectly, from personal injuries to myself or property damage resulting from my participation in the Town of Stow voluntary activities or recreation programs.

I also promise, to indemnify, defend, and hold harmless the Releasees against any and all legal claims and proceedings of any description that may have been asserted in the past, or may be asserted in the future, directly or indirectly, arising from personal injuries to myself or property damage resulting from participation in the Town of Stow voluntary activities or recreation programs.

I further affirm that I have read this Consent and Release Form and that I understand the contents of this Form. I understand that my participation is voluntary and that I am free to choose not to participate in said programs. By signing this Form, I affirm that I have decided to participate in the Town as a volunteer or in its recreation programs with full knowledge that the Releasees will not be liable to anyone for personal injuries and property damage that I may suffer in Town of Stow voluntary activities or recreation programs.

Signatures:

Participant: _____ Date: _____

Parent/Guardian if participant is under 18 years of age:

Parent/Guardian: _____ Date: _____

Print Name(s): _____



**THE COMMONWEALTH OF MASSACHUSETTS
EXECUTIVE OFFICE OF PUBLIC SAFETY AND SECURITY
Department of Criminal Justice Information Services 200
Arlington Street, Suite 2200, Chelsea, MA 02150
TEL: 617-660-4640 | TTY: 617-660-4606 | FAX: 617-660-5973
MASS.GOV/CJIS**



This form is not to be faxed. Please return form to organization.

**Criminal Offender Record Information (CORI)
Acknowledgement Form**

To be used by organizations using consumer reporting agencies to conduct CORI checks for employment, volunteer, subcontractor, licensing, and housing purposes.

_____ **Town of Stow** _____ is registered under the
(Organization)
provisions of M.G.L. c.6, § 172 to receive CORI for the purpose of screening current and otherwise qualified prospective employees, subcontractors, volunteers, license applicants, current licensees, and applicants for the rental or lease of housing. _____ **Town of Stow** _____ has authorized
(Organization)
_____ **Town of Stow** _____ to submit CORI checks
(Consumer Reporting Agency)
to the Massachusetts Department of Criminal Justice Information Services (DCJIS) on its behalf.

As a prospective or current employee, subcontractor, volunteer, license applicant, current licensee, or applicant for the rental or lease of housing, I understand that a CORI check will be submitted for my personal information to the DCJIS. I hereby acknowledge and provide permission to _____ **Town of Stow** _____
(Consumer Reporting Agency)
to submit a CORI check for my information to the DCJIS. This authorization is valid for one year from the date of my signature. I may withdraw this authorization at any time by providing _____ **Town of Stow** _____
(Organization)
with written notice of my intent to withdraw consent to a CORI check. I also understand that this form is a CORI acknowledgement form and I am entitled to additional consumer reporting disclosure forms under the Fair Credit Reporting Act. If I have not received those disclosures, I should contact _____ **Town of Stow** _____
(Organization)
to request this information.

FOR EMPLOYMENT, VOLUNTEER, AND LICENSING PURPOSES ONLY:

I also understand that the _____ **Town of Stow** _____, on behalf of
(Consumer Reporting Agency)
_____ **Town of Stow** _____ may conduct
(Organization)
subsequent CORI checks within one year of the date this Form was signed by me.

By signing below, I provide my consent to a CORI check and affirm that the information provided on Page 2 of this Acknowledgement Form is true and accurate.

X _____
Signature of CORI Subject

X _____
Date



**THE COMMONWEALTH OF MASSACHUSETTS
EXECUTIVE OFFICE OF PUBLIC SAFETY AND SECURITY
Department of Criminal Justice Information Services**
200 Arlington Street, Suite 2200, Chelsea, MA 02150
TEL: 617-660-4640 | TTY: 617-660-4606 | FAX: 617-660-5973
MASS.GOV/CJIS



SUBJECT INFORMATION

Please complete this section using the information of the person whose CORI you are requesting.
The fields marked with an asterisk (*) are required fields.

* First Name: _____ Middle Initial: _____

* Last Name: _____ Suffix (Jr., Sr., etc.): _____

Former Last Name 1: _____

Former Last Name 2: _____

Former Last Name 3: _____

Former Last Name 4: _____

* Date of Birth (MM/DD/YYYY): _____ Place of Birth: _____

* Last SIX digits of Social Security Number: _____ -- _____ No Social Security Number

Sex: _____ Height: _____ ft. _____ in. Eye Color: _____ Race: _____

Driver's License or ID Number: _____ State of Issue: _____

Father's Full Name: _____

Mother's Full Name: _____

Current Address

* Street Address: _____

Apt. # or Suite: _____ *City: _____ *State: _____ *Zip: _____

SUBJECT VERIFICATION

The above information was verified by reviewing the following form(s) of government-issued identification:

Verified by:

Print Name of Verifying Employee

Signature of Verifying Employee

Date



TOWN OF STOW HARASSMENT AND SEXUAL HARASSMENT POLICY

Adopted by the Board of Selectmen on January 12, 2021

POLICY

It is the goal of the Town of Stow ("Town") to promote a workplace that is free of discriminatory harassment ("harassment") of any type, including sexual harassment. Discriminatory harassment consists of any unwelcome conduct that is personally offensive, whether verbal or physical, which is based on a characteristic protected by law and which otherwise fails to respect the rights of others. All Town employees are responsible for insuring that the work place is free from all forms of harassment. This policy applies to all employees and officers of the Town. Supervisory and managerial employees must not condone acts of harassment by their subordinate employees, by other Town employees, by regular visitors to Town offices, or by employees of our vendors and contractors. 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. Retaliation against persons complaining about harassment or sexual harassment, or retaliation against individuals for cooperating with an investigation of a harassment complaint, is also unlawful and prohibited by this policy. Harassment in retaliation for formal or informal participation in filing an internal or external complaint of discrimination, or otherwise raising a concern regarding discrimination, will also not be tolerated.

HARASSMENT DEFINED

1. **Harassment in General.** Harassment is unwelcome verbal or physical conduct, directed at an individual based upon age, race, color, national origin, sex, religion, sexual orientation, genetics, active military or veteran status, ancestry, handicap (disability) or participation in discrimination complaint-related activities which disrupts or interferes with another's work performance, or which creates an intimidating, offensive, or hostile environment.
2. **Examples of Harassment.** Harassment includes the use of insulting epithets, slurs, derogatory comments, or nicknames; the display of insulting or offensive objects, cartoons, pictures, slogans, demeaning gestures or symbols; intimidation through physical violence or threats of violence; and preferential treatment of certain employees based on membership in a particular class.
3. **Sexual Harassment.** In Massachusetts, the legal definition for sexual harassment is this:

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

- (a) submission to or rejection of such advances, requests or conduct is made either explicitly or implicitly a term or condition of employment or as a basis for employment decisions; or
- (b) such advances, requests or conduct have the purpose or effect of unreasonably interfering with the 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 legal 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 any person may also constitute sexual harassment.

4. Examples of Sexual Harassment. Sexual harassment is a type of harassment, which refers to any unwelcome sexual attention, sexual advances, requests for sexual favors, and other unwelcome sexual verbal, visual, or physical conduct to which an individual may be subjected. 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; comments on an individual's body, comments about an individual's sexual activity, deficiencies, or prowess;
- 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; and
- Discussion of one's sexual activities.

5. Dispelling common myths about harassers and victims:

Contrary to popular belief, sexual harassment is not limited to prohibited behavior by a male employee toward a female employee or by a supervisory employee toward a nonsupervisory employee. Sexual harassment can be found in any of the following less "traditional" situations:

1. A man as well as a woman may be a victim of sexual harassment, and a woman as well as a man may be the harasser.
2. The harasser does not have to be the victim's supervisor. He or she may be a

supervisory employee who does not directly supervise the victim, a co-worker, or in some circumstances, a non-employee such as a member of the public who uses Town facilities.

3. The victim does not have to be the opposite sex of the harasser.
4. The victim does not have to be the person at whom the unwelcome sexual conduct is directed; the victim may be someone who is affected by such conduct even though it is directed by another person. For example, the sexual harassment of one employee may create an intimidating, hostile, humiliating, or offensive work environment for a coworker, or may interfere with the coworker's work performance. In addition, consensual sexual behavior in the office between two employees may be offensive to a third employee or result in favoritism that harms the third employee.
5. Sexual harassment does not depend on the victim's suffering an economic injury, such as losing a promotion, as a result of the harasser's conduct. As the examples of improper conduct listed above show, sexual harassment can occur whenever unwelcome conduct of a sexual nature creates an intimidating, hostile, humiliating, or offensive work environment.

PREVENTION OF HARASSMENT

Supervisors and co-workers can avoid harassing behavior by treating the workplace as a professional environment and by using common sense. If any employee or manager would not feel comfortable making or hearing a particular comment about a family member, a friend or any individual of their own race, national origin, religion, etc., the employee or manager should not make the comment in question to another person.

Prevention efforts include, but are not limited to: informing employees of this policy on an annual basis, training employees regularly, communicating the sanctions imposed for violating this policy, and providing a reporting hierarchy within which to report incidents of harassment without fear of reprisal. Because the Town of Stow takes allegations of harassment seriously, the Town will respond promptly to complaints of harassment. Where it is determined that inappropriate conduct has occurred, the Town will act promptly to eliminate the conduct and impose such corrective action as is necessary, including disciplinary action where appropriate.

EMPLOYEE RESPONSIBILITIES

Each employee of the Town of Stow is personally responsible for ensuring that his or her conduct does not sexually harass any other employee or non-employee in the workplace. Each employee is responsible for cooperating in any investigation of alleged sexual harassment if requested to do so by the person conducting the investigation.

SUPERVISOR AND MANAGER RESPONSIBILITIES

It is the responsibility of each supervisor and manager to strictly enforce the terms of this policy. Supervisors, managers, or Department Heads who become aware of incidents of

sexual harassment in their departments, even in the absence of a formal complaint, should take appropriate actions to eliminate the conduct. Supervisors and managers may seek further information and guidance from the Human Resources Department.

PERSONS COVERED

This policy prohibits harassment by, or directed to, all employees (including but not limited to non-supervisory, supervisory, management and executive personnel), volunteers, applicants for employment, contractors for the Town, visitors and all others on Town property.

WAYS OF DEALING WITH HARASSMENT

Self-help

If an individual believes that he or she is being sexually harassed, the most immediate goal is to stop the offensive conduct. Individuals should:

- Promptly and firmly confront whoever is doing the harassing.
- State that their conduct offends, intimidates, and/or embarrasses you.
- Describe how the harassment negatively affects your work.
- Request that he or she stop the conduct immediately.
- Say things like: "Please don't touch me. I don't like it. It makes me uncomfortable." "I don't think jokes like that are funny. Please don't tell them when I am in the room." "I'd like it a lot better if you'd comment on the quality of my work rather than on the way I look.", "My name is _____, not 'honey'."

If practical, bring a witness with you for this discussion. After the discussion, write a summary of the conversation, including the date and name of anyone who accompanied you.

In all instances where an individual believes that he or she has been sexually harassed, it is helpful, but not necessary, to write down a description of the offensive conduct, the date or dates on which it took place, and the names of anyone who witnessed the conduct or heard offensive remarks.

Seeking Guidance

In some instances, confronting the harasser directly may be too intimidating or uncomfortable, particularly when the harasser is an immediate supervisor. An individual who wants to discuss their situation may contact the Town Administrator for more information about sexual harassment and the complaint procedure in order to decide whether to make a complaint.

Formal Complaint

1. An individual who believes that they have been subjected to sexual harassment has a right to file a formal complaint with his/her supervisor or, if appropriate, the Town Administrator. This may be done orally or in writing. The supervisor and/or the Town

Administrator will conduct an investigation in a fair and expeditious manner.

2. A complaint may be made verbally or in writing. The Town may require that a verbal complaint be reduced to writing with the assistance of the Town Administrator, or other person designated by the Town.
3. Any supervisor, manager or other employee who becomes aware of harassment prohibited by this policy must report it **immediately** to the Town Administrator, or other person designated by the Town.

INVESTIGATION

1. All complaints of harassment will be investigated promptly and impartially by the Town Administrator or by another qualified individual selected by the Town Administrator, including but not limited to the Selectmen, Police Chief, Town Counsel, or outside parties.
2. An individual conducting an investigation into a complaint of harassment will keep information confidential to the extent possible without compromising the investigation, and disseminate it on a "need to know" basis only. Others involved in the investigation in any capacity must also respect the privacy of those involved by keeping information learned during the course of the investigation confidential.
3. Ordinarily, as circumstances permit, the Town's investigation will include private interviews with appropriate individuals, such as the complainant, the employee alleged to have committed harassment, and with witnesses, if any.
4. As soon as practicable after the completion of the investigation, the official responsible for conducting the investigation will, to the extent appropriate, advise the employee who brought the harassment complaint and the employee accused of harassment of the results of the investigation.
5. If either employee is dissatisfied with the handling or result of the investigation, the employee should bring the matter immediately to the Town Administrator, preferably in writing, stating the reasons for that dissatisfaction.

CORRECTIVE ACTION

In the event that allegations of harassment are substantiated after investigation, the Town will take prompt and effective action to ensure that the offending conduct has ceased and, if necessary under the circumstances, will implement affirmative measures to ensure that such conduct does not recur. Additionally, persons found to have engaged in harassment prohibited by this policy will be subject to disciplinary action up to and including discharge from employment. This policy shall not limit the authority of the Town to take disciplinary action against an employee who engages in inappropriate conduct, regardless of whether it satisfies the definition of harassment or sexual harassment under this policy.

RETALIATION PROHIBITED

No one who brings a harassment complaint in good faith will be subject to any adverse employment action for doing so, regardless of whether the complaint is ultimately determined to have merit. Any employee, including supervisors and managers, who retaliate against an employee for making a complaint of harassment will be subject to disciplinary action, which may include termination of employment. Retaliation should be reported to the Town Administrator using the procedure set forth in this policy for complaints of harassment.

Employees should be aware that knowingly making false accusations will be considered misconduct, and could subject the employee to civil suit by the target of the false accusations.

APPEALS PROCESS

Employees who believe they have been unfairly disciplined may appeal the decision to the Town Administrator. This request for review must be put in writing to the Town Administrator, and must be received within one calendar week of the Department Head's decision. If an employee is appealing a decision made by the Town Administrator, they may appeal the decision to the Board of Selectmen, and must be received within one calendar week of the Town Administrator's decision.

UNION GRIEVANCES

Town employees who are union members may elect to file a grievance under their collective bargaining agreement.

STATE AND FEDERAL REMEDIES

In addition to the above, if you believe you have been subjected to harassment of any type, you may file a formal complaint with either 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 these agencies requires that claims be filed within 300 days from the alleged incident or of when the complainant became aware of the incident.

A. The United States Equal Employment Opportunity Commission ("EEOC")

One Congress Street, 10th Floor
Boston, MA 02114
(617) 565 -3200

B. The Massachusetts Commission Against Discrimination ("MCAD")

Boston Office:
One Ashburton Place, Room 601
Boston, MA 02108

Springfield Office:
424 Dwight Street, Room 220
Springfield, MA 01103

(617) 994-6000

(413) 739 – 2145

Employees are also encouraged to call the Town's Employee Assistance Program ("EAP"), a confidential counseling service offered to employees and their immediate family members.

The EAP may be accessed by calling 1-800-451-1834 and is available 24 hours a day, 7 days a week.



Town of Stow

380 Great Road
Stow, MA 01775

HARASSMENT AND SEXUAL HARASSMENT POLICY Acknowledgement of Receipt

Print Name: _____

Department: _____

Job Title: _____

By signing my name below, I am acknowledging that I have received, read, had the opportunity to ask questions about, and have been advised that I am responsible for complying with the Town of Stow's Harassment and Sexual Harassment Policy. I understand this signature sheet will be placed in my personnel file.

I understand that I will be held responsible for complying with the provisions of this policy and understand that any actions which are found to violate the terms of this policy may result in disciplinary action*, up to and including termination of employment.

Employee's Signature: _____ Date: _____

** This policy is applicable to all employees of the Town of Stow.
For those employees covered by Collective Bargaining Agreements, the provisions of the CBA, which are subject to negotiation prevail over the language in this policy (i.e. discipline).*



TOWN OF STOW

WORKPLACE VIOLENCE POLICY

Adopted by the Board of Selectmen on January 12, 2021

PURPOSE

The Town of Stow intends to provide a professional environment that is free of violence, threats of violence, harassment, intimidation or other disruptive behavior by establishing preventative measures, providing training and education, providing assistance and support to those who have been exposed to workplace violence, and holding those responsible for workplace violence. It is intended that all management tools be employed to accomplish the goal of avoiding or at the very least reducing the effect of workplace violence on the victim(s) and providing consequences to those who commit workplace violence. Management will utilize available resources such as the Town's Employee Assistance Program (EAP), Human Resource Connections, law enforcement, and all applicable personnel policies and procedures to accomplish this goal.

POLICY

The Town maintains a zero-tolerance policy toward workplace violence, or the threat of violence, by or against any of its employees, elected or appointed officials, volunteers working for the Town, customers, the general public, and/or anyone who conducts business with the Town.

The best way to prevent workplace violence is to raise the awareness of Department Heads and employees, and encourage early reporting and resolution of problem behavior before it escalates into violence. All employees are responsible for helping maintain a violence-free workplace. To that end, each employee is required to govern themselves accordingly. In addition, any employee experiencing or witnessing an inappropriate behavior under this policy is strongly encouraged to report it to their immediate supervisor and/or the Town Administrator.

Should an employee commit a violation of this policy and it is determined in the investigation that the employee did in fact, commit the violation, they may be mandated to training or referred to the EAP. In these cases, failure by the employee to keep the initial appointment with the EAP and follow through with the prescribed program may result in disciplinary action, including termination.

DEFINITIONS

Workplace violence is any act committed by or against an employee or other affected individual within the context of that individual's involvement with the Town, that creates a hostile work

environment and negatively affects the individual, either physically or psychologically and includes, but is not limited to harassment, stalking, coercion, intimidation, threats, physical attack, or property damage.

An ***employee or other affected individual*** refers to any individual who serves in the capacity of an elected official, appointed member to a board, commission or committee, volunteer working for the Town, employee of the Town, consultant or contractor retained by the Town, or visitor who is engaged in some form of business or activity with the Town.

Harassment is behavior that intimidates, disturbs, upsets or threatens a person.

Intimidation is an act intended to frighten, coerce or induce duress or fear.

A ***threat*** is the expression of an intent to cause physical or mental harm regardless of whether the person communicating the threat has the present ability to carry out the threat and regardless of whether the threat is contingent, conditional or future. A threat of violence includes, but is not limited to any act of physical aggression, any verbal or written statements, harassing telephone calls, harassing email, text or social media messages, gestures, expressions, or behaviors such as stalking that could be perceived as an intention to cause physical or mental harm to any employee or other affected individual.

Physical attack is intentional, unwanted hostile physical contact with another person such as, but not limited to, hitting, fighting, pushing, shoving, and sexual assault, assault with a weapon or other device used as a weapon, or throwing objects.

Property damage is intentional damage to property, which includes property owned by the Town, elected officials, appointed board, commission, or committee members, employees, volunteers, visitors, vendors, consultants, or contractors.

Weapons are defined to include all devices that are intended to threaten, inflict harm, injury or death to an individual, such as, but are not necessarily limited to, firearms, knives, throwing devices, chemical and inert sprays or agents, stun guns, clubs, or types of devices that are designed to discharge some type of projectile, as well as any other type of device used to inflict injury to another individual, or to threaten to do so.

Workplace Violence Takes Several Forms:

- ***Violence by strangers*** – involves verbal threats, threatening behavior or physical assaults by an assailant who has no legitimate business relationship with the Town.
- ***Violence by customers*** – the assailant who is doing business with the Town.
- ***Violence by co-workers*** – the assailant has some employment related involvement with the workplace such as former employee, co-worker, Administrator, or board member.

- *Violence by personal relationship* – including spouse, partner, former spouse, former partner, friend, acquaintance.

PREVENTION OF WORKPLACE VIOLENCE

The Town subscribes to the concept of a safe work environment and supports the prevention of workplace violence. Prevention efforts include, but are not limited to informing employees of this policy, instructing employees regarding the dangers of workplace violence, communicating the sanctions imposed for violating this policy, and providing a reporting hierarchy within to report incidents of violence without fear of reprisal.

Procedure for Reporting Threat:

Each incident of policy violation, whether the incident is committed by another employee or an external individual such as a customer, vendor, or citizen, must be reported to the Department Head and Town Administrator. The Town Administrator will work with the Department Head, and the Chief of Police to assess and investigate the incident and determine the appropriate action to be taken. The Town Administrator, when appropriate, will inform the victim of his/her right to have the Police Department notified.

In critical incidents in which serious threat or injury occurs, emergency responders such as Police, Fire, and/or Ambulance personnel must be promptly notified. As necessitated by the seriousness of the incident, the Town Administrator may assemble a Response Team that consists of staff from the affected Department, Town Administrator, Police, Town Counsel/Labor Counsel, and may include the Employee Assistance Program, and others as deemed necessary.

The Response Team is responsible for establishing the protocol in the event of a threat or violent incident that may include but is not limited to:

- Evaluating the potential violence problem(s);
- Assessing an employee's fitness for duty (through mental health professionals);
- Establishing a plan for the protection of co-workers and other potential targets;
- Coordinating with affected parties such as victims, families, employees, media, or law enforcement personnel;
- Referring victims to appropriate assistance and community service programs; and
- Assuring that immediate (within 24 hours) and on-going counseling is available to traumatized individuals.

Any employee who acts in good faith by reporting real or implied violent behavior will not be subjected to any form of retaliation or harassment. Any action of this type resulting from a report of violence must be reported to the appropriate management staff for investigation and decision regarding proper action.

Employees who report incidents of workplace violence may request to do so confidentially. Such requests will be honored to the degree reasonable under the circumstances; however, there is no guarantee of complete confidentiality. The Town shall be sensitive to the employee's request. Information will be released only on a need-to-know basis in order to thoroughly investigate and resolve the matter. The identity of the individual making the report will be protected as much as is practical.

It is a violation of this policy to engage in any act of workplace violence. Any employee who has been determined to be in violation of this policy will be subject to disciplinary action up to and including termination and, depending upon the violent act, may be subject to criminal sanctions.

Should an employee commit a violation of this policy and it is determined in the investigation that the employee did in fact commit the violation, they may be mandated to training or referred to the EAP. In these cases, failure by the employee to keep the initial appointment with the EAP and follow through with the prescribed program may result in disciplinary action, including termination.

Should an employee become the victim of an incident of workplace violence, the Department Head or Town Administrator may offer additional referral services to assist in coping with any effects of the incident.

AUTHORIZED EXCEPTIONS TO WEAPONS

An employee may only possess a weapon during the course of working hours under the following circumstances:

1. Used by a sworn police officer of the Stow Police Department in the line of duty.
2. Required as a part of the employee's job duties with the Town of Stow.
3. In compliance with Massachusetts General Laws and specific written authorization by the Board of Selectmen and the Town Administrator where the employee has a demonstrated need to possess a weapon while at work. Prior to an authorization being granted, the Chief of Police will be notified in writing as to the request. If a request is granted, the Chief of Police will be notified in writing and consulted prior to final authorization.

This permission will be granted for a specific period of time and will be subject to reassessment on a periodic basis as determined by the Board of Selectmen and the Town Administrator.

4. Authorizations are to be filed in the employee's personnel file.

Violations:

Any violation of this policy will result in disciplinary measures, up to and including termination. Employees are strongly encouraged to immediately report any violation of this policy to his or her immediate supervisor or the Town Administrator.

All reported violations of this policy will be investigated by the Town and/or the appropriate authority.

Inspections:

Town property furnished to anyone covered by this policy is subject to inspection with or without notice. This includes, but is not limited to, desks, telephones, cell phones, computers, lockers, vehicles, etc. The Town also reserves the right to enter or inspect work areas.

Questions:

If you have any questions regarding this policy, please contact the Town Administrator.



Town of Stow

380 Great Road

Stow, MA 01775

Workplace Violence Policy Acknowledgement of Receipt

Print Name: _____

Department: _____

Job Title: _____

By signing my name below, I am acknowledging that I have received, read, had the opportunity to ask questions about, and have been advised that I am responsible for complying with the Town of Stow's Workplace Violence Policy. I understand this signature sheet will be placed in my personnel file.

I understand that I will be held responsible for complying with the provisions of this policy and understand that any actions which are found to violate the terms of this policy may result in disciplinary action*, up to and including termination of employment.

Employee's Signature: _____ Date: _____

** This policy is applicable to all employees of the Town of Stow.
For those employees covered by Collective Bargaining Agreements, the provisions of the CBA, which are subject to negotiation prevail over the language in this policy (i.e. discipline).*



TOWN OF STOW ANTI-FRAUD POLICY

Adopted by the Board of Selectmen on January 12, 2021

I. INTRODUCTION

The Town of Stow recognizes the importance of protecting the Town and its operations, citizens, taxpayers, employees and assets against financial risks and unethical activities. It is the policy of the Town of Stow to institute and clearly communicate a fraud prevention policy in an effort to prevent and deter all forms of fraud that could threaten the security of our assets and our reputation.

The Town of Stow has a ***Zero Tolerance*** policy with regard to fraud and are committed to undertake the following steps as part of their anti-fraud policy:

- ***Education***
- ***Prevention***
- ***Detection***
- ***Investigation***
- ***Corrective Action***

A. Education

The most effective way to reach most employees is through education. Actively fighting fraud means implementing policies and procedures that prevent and detect fraud. The Town's goal is to establish and maintain an environment of fairness, ethics and honesty. To maintain such an environment requires the active assistance of every employee, every day.

B. Definition of Fraud

Fraud is defined as a deception deliberately practiced to secure unlawful gain. The term includes such acts as: bribery, deception, embezzlement, extortion, false representation, forgery, the concealment of material facts, the misappropriation of money or assets and collusion or conspiracy to commit any or all of the above acts.

C. Reporting of Fraud

The Town recognizes that allegations and concerns about fraudulent activity should be reported to the Town Administrator or his/her designee through the established chain of command (department heads, foreman). All employees are encouraged to report any concerns they have or information provided to them about a possible fraudulent act. The Town Administrator has the primary responsibility for the investigation of all suspected fraudulent acts as defined in the policy. All cases of suspected fraud will be investigated and appropriate action will be taken.

D. Applicability

This Policy applies to all employees and elected or appointed officials, Town, full, part-time and temporary, all Town Board members, Town Committee members and Town Commission members, here and after, referred to as Employees.

Fraud, as defined by this policy, includes any misuse or attempt to misuse a Town asset for personal gain or purposes unrelated to Town business. It may include, but is not limited to:

Misappropriation of Assets

- Forgery, alteration or misappropriation of cash, checks, bank drafts, promissory notes, securities or any other financial document
- Unauthorized use or disposition of funds or property
- Falsifying timesheets or payroll records
- Falsifying travel expenses and/or utilizing Town funds to pay for personal expenses or for personal benefit
- Theft
- Embezzlement
- Fictitious reporting of receipt of funds
- Falsification of expenses and invoices
- The use or assigning of A Town employee on other than Town business.
- Actions which cause the Town's financial reports and/ or records to be inaccurate

Profiteering

- Offering, giving, soliciting and/ or accepting an inducement or reward that may improperly influence the action of an employee of the Town.

E. Related Policies

This is a Town policy that is designed to augment Chapter 268A - "The Conflict of Interest Law". It is not intended to replace or preclude it in any way.

This policy will be administered in accordance with Massachusetts General Laws, Chapter 149 Section 185 "*Retaliation against employees reporting violations of law or risks to public health, safety or environment; remedies*".

II. GENERAL POLICY AND RESPONSIBILITIES

The Town Administrator or his/her designee is responsible to investigate any suspected acts of fraud or misappropriation of property. An objective investigation will be conducted of any person, group or organization reasonably believed to have committed fraud, regardless of: position, job title, and length of service or relationship with the Town.

Department Heads are responsible for instituting and maintaining programs and controls to prevent, deter, and detect fraud.

All employees, upon discovery of any violation of this policy, are encouraged to notify the Town Administrator or his/her designee of the violation through the normal chain of command. If the Town Administrator determines that corrective action may be provided for internally within the department, the Department Head will notify the Town Administrator as to the steps taken to correct the violation.

The Town Administrator or his/her designee has the primary responsibility for overseeing the investigation of all suspected fraudulent acts as defined in this policy. The Town Administrator will involve such individuals, but not limited to: the Board of Selectmen, Town Accountant, Town Treasurer, Town Law Enforcement, Legal Counsel and others deemed appropriate.

Upon conclusion of the investigation, the results will be reported to the Town Administrator or his/her designee. If there are reasonable grounds to believe that a fraud may have occurred, then the Town Administrator will report the incident(s) to the appropriate authorities. Whatever action is taken by such appropriate authorities will not preclude the Town taking disciplinary action where it believes discipline is warranted. Every reasonable effort will be pursued to recover Town assets.

A. Procedures for Reporting

Any employee, who reasonably believes that fraud has occurred, is encouraged to notify the Town Administrator or his/her designee. In cases where an employee reasonably believes the Town Administrator is involved, the employee is encouraged to notify the Town Accountant. If it is reasonably believed that the Town Accountant is also involved, then the employee is encouraged to notify the Police Chief.

B. Investigation

Once notification or discovery of a suspected fraud has occurred, then the Town Administrator or his/her designee will immediately investigate the suspected fraud. The Town Administrator will make every reasonable effort to maintain confidentiality. If the suspected fraud involves the Town Administrator is involved in the report of fraud, then the investigation will be conducted by the Town Accountant. If the suspected fraud involves both the Town Administrator and the Town Accountant, then the investigation will be conducted by the Police Chief and the appropriate authorities.

C. Security of Evidence

Once a suspected fraud is reported, immediate action to prevent the theft, alteration, or destruction of relevant records shall be initiated. The records will be adequately secured until the investigation is complete.

D. Confidentiality

All participants and all persons questioned in a fraud investigation will keep the details and results of the investigation confidential so as not to violate an individual's expectation of privacy.

E. Personnel Actions

If a suspicion of fraud is substantiated by the investigation, then the Town Administrator or his/her designee shall take disciplinary action, up to and including dismissal and appropriate legal measures. Such disciplinary action may be taken independent of any findings and conclusions reached by any appropriate authority to which the fraud allegations are reported.

If an allegation is made predicated upon the reasonable belief that a violation has occurred, but it is not confirmed by the investigation, then no action will be taken against the originator. If however, the allegation is made and predicated without the reasonable belief that a violation has occurred, then appropriate disciplinary action may be taken against the individual making the false allegation up to and including termination.

F. Whistle-Blower Protection

No person covered by this policy acting honestly and in good faith in attempting to comply with its provisions shall:

- be dismissed or threatened with dismissal;
- be suspended or threatened with suspension;
- be subject to any discipline or any other retribution
- be intimidated or coerced.

Any person violating these whistle blower protections will be subject to disciplinary action, up to and including dismissal.

Town of Stow

*380 Great Road
Stow, MA 01775*

ANTI-FRAUD POLICY Acknowledgement of Receipt

Print Name: _____

Department: _____

Job Title: _____

By signing my name below, I am acknowledging that I have received, read, had the opportunity to ask questions about, and have been advised that I am responsible for complying with the Town of Stow's ***Anti-Fraud Policy***. I understand this signature sheet will be placed in my personnel file.

I understand that I will be held responsible for complying with the provisions of this policy and understand that any actions which are found to violate the terms of this policy may result in disciplinary action*, up to and including termination of employment.

Employee's Signature: _____ Date: _____

** This policy is applicable to all employees of the Town of Stow.
For those employees covered by Collective Bargaining Agreements, the provisions of the CBA, which are subject to negotiation prevail over the language in this policy (i.e. discipline).*



TOWN OF STOW
PREGNANCY AND PREGNANCY-RELATED
CONDITIONS POLICY

Adopted by the Board of Selectmen on October 13, 2020

The Town of Stow complies with the Pregnant Workers Fairness Act (the Act”) prohibiting discrimination in employment, G.L. c 151B, §4. The Act, effective on April 1, 2018, expressly prohibits employment discrimination on the basis of pregnancy and pregnancy-related conditions, such as lactation or the need to express breast milk for a nursing child. It also describes employers’ obligations to employees that are pregnant or lactating and the protections these employees are entitled to receive. Generally, employers may not treat employees or job applicants less favorably than other employees based on pregnancy or pregnancy-related conditions and have an obligation to accommodate pregnant workers.

Under the Act

Upon request for an accommodation, the Town of Stow will communicate with the employee in order to determine a reasonable accommodation for the pregnancy or pregnancy-related condition. This is called an “interactive process”, and it will be done in good faith. A reasonable accommodation is a modification or adjustment that allows the employee or job applicant to perform the essential functions of the job while pregnant or experiencing a pregnancy-related condition, without undue hardship to the Town.

The Town of Stow will accommodate conditions related to pregnancy, including post-pregnancy conditions such as the need to express breast milk for a nursing child, unless doing so would pose an undue hardship. “Undue hardship” means that providing the accommodation would cause the Town significant difficulty or expense.

An employee will not be required to accept a particular accommodation, or to begin disability or parental leave if another reasonable accommodation would enable the employee to perform the essential functions of the job without undue hardship to the Town.

A pregnant job applicant or applicant with a pregnancy-related condition will not be denied employment if the applicant is capable of performing the essential functions of the position with a reasonable accommodation.

An employee will not be denied an employment opportunity or experience adverse action because of the employee’s request for or use of a reasonable accommodation for a pregnancy or pregnancy-related condition.

The Town of Stow may request medical documentation for some accommodations but does not require medical documentation if the accommodation requested is for: (i) more frequent restroom, food or water breaks; (ii) seating; (iii) limits on lifting no more than 20 pounds, and (iv) private, non-bathroom space for expressing breast milk.

Complaints of Pregnancy and/or Pregnancy-Related Discrimination

If you believe that you as an employee have been subjected to pregnancy and/or pregnancy-related discrimination, you have the right to file a complaint with the Town. This may be done in writing or orally.

If you would like to file a complaint you may do so by contacting the Town Administrator, 380 Great Road, Stow, MA 01775, (978) 897-2927 or townadministrator@stow-ma.gov. The Town Administrator is also available to discuss any concerns you may have and to provide information to you about our policy and our complaint process.

Investigation

When the Town receives the complaint, it will promptly 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. The investigation will include a private interview with the person filing the complaint and with witnesses. When the investigation is completed, the Town, to the extent appropriate will inform the person filing the complaint the results of the investigation.

If it is determined that inappropriate conduct has occurred, the Town will act promptly to correct the condition.

Disciplinary Action

If it is determined that inappropriate conduct has been committed by an employee, the Town will take such action as is appropriate under the circumstances. Such action may range from counseling to termination from employment and may include such other forms of disciplinary action as it deem appropriate under the circumstances.

State and Federal Remedies

In addition to the above, if you believe you have been subjected to discrimination, you may file a formal complaint with either or both government agencies set forth below. Using our complaint process does not prohibit you from filing a complaint with these agencies. Each of the agencies requires that claims be filed within 300 days from the alleged incident or when the complainant became aware of the incident.

The United States Equal Employment Opportunity Commission (EEOC) [www.eeoc.gov]

Boston Area Office
John F. Kennedy Federal Building
475 Government Center
Boston, MA 02203
(800) 669-4000

The Massachusetts Commission Against Discrimination (MCAD) [www.mass.gov/mcad]

Boston Office
One Ashburton Place, Suite 601
Boston, MA 02108
(617) 994-6000

Worcester Office
484 Main Street, Room 320
Worcester, MA 01608
(508) 453-9630



Town of Stow

380 Great Road

Stow, MA 01775

Pregnancy and Pregnancy-Related Conditions Policy Acknowledgement of Receipt

Name: _____

Department: _____

Job Title: _____

By signing my name below, I am acknowledging that I have received, read, had the opportunity to ask questions about, and have been advised that I am responsible for complying with the Town of Stow's **Pregnancy and Pregnancy-Related Conditions Policy**.

Employee's Signature: _____ Date: _____

Please review all other adopted Personnel Policies on the Town's website:

<https://www.stow-ma.gov/human-resources/pages/personnel-policies>

<u>POLICY</u>	<u>DATE ADOPTED</u>
CORI Policy	November 14, 2023
Compensatory Time for Exempt Employees	November 14, 2023
Compensatory Time for Nonexempt Employees	November 14, 2023
Inclement Weather Policy	November 14, 2023
Nepotism Policy	November 14, 2023
Religious Accommodation Policy	November 14, 2023
Remote Work Policy	November 14, 2023
Service Animals in the Workplace	February 28, 2023
Therapy Animals in the Workplace	February 28, 2023