

Town of Stoughton **Drug-Free Workplace Policy**

Purpose and Goal

The Town of Stoughton is committed to protecting the safety, health and well being of all employees and other individuals in our workplace. We recognize that alcohol abuse and drug use pose a significant threat to our mission and goals. We have established a drug-free workplace program that balances our respect for individuals with the need to maintain an alcohol and drug-free environment. The Town encourages employees to voluntarily seek help with drug and alcohol problems.

Covered Individuals

Any individual who conducts business for the Town, is applying for a position or is conducting business on the Town's property is covered by our drug-free workplace policy. Our policy includes, but is not limited to managers, supervisors, full-time employees, part-time employees, off-site employees, volunteers, interns, and Officials.

Applicability

Our drug-free workplace policy is intended to apply whenever anyone is representing or conducting business for the Town. Therefore, this policy applies during all working hours, whenever conducting business or representing the Town, while on call, paid standby, while on Town property and at Town-sponsored events.

Prohibited Behavior

It is a violation of our drug-free workplace policy to use, be under the influence of, possess, sell, trade, distribute, and/or offer for sale alcohol, a controlled or banned substance, illegal drugs or intoxicants while working, conducting business or representing the Town, on Town property or at Town-sponsored events; also, while on call or on paid standby.

Searches

Entering the Town's property constitutes consent to searches and inspections. If an individual is suspected of violating the drug-free workplace policy, he or she may be asked to submit to a search or inspection at any time. Searches can be conducted of lockers, desks, work stations, vehicles and equipment.

Confidentiality

All information received by the Town through the drug-free workplace program is confidential communication. Access to this information is limited to those who have a legitimate need to know in compliance with relevant laws and management policies.

Policy Statement Relating to Town Employees

Notification of Convictions

Any employee who is convicted of a criminal drug violation must notify the Town in writing within five calendar days of the conviction. The Town will take appropriate action within 30 days of notification. Federal contracting or licensing agencies will be notified when appropriate.

Drug Testing

To ensure the accuracy and fairness of our testing program, all testing will be conducted according to existing collective bargaining agreements, where applicable, or according to Substance Abuse and Mental Health Services Administration (SAMHSA) guidelines, where applicable, and will include a screening test; a confirmation test; the opportunity for a split sample; review by an appropriate appointee or Medical Review Officer, including the opportunity for employees who test positive to provide a legitimate medical explanation, such as a physician's prescription, for the positive result; and a documented chain of custody. All drug-testing information will be maintained in separate confidential records.

Each employee, as a condition of employment, can be required to participate in pre-employment testing, based on the requirements of the position. Each employee will be required to participate in drug testing after an accident, upon reasonable suspicion, or upon return-to-duty, and will be required to participate in follow-up testing upon selection or request of management.

The substances that will be tested for are, but not limited to: Amphetamines, Cannabinoids (THC), Cocaine, Opiates, Phenylcyclidine (PCP), Alcohol, Barbiturates, Benzodiazepines, Methaqualone, Methadone, Propoxyphene, and Nicotine.

Testing for the presence of alcohol will be conducted by analysis of breath and blood.

Testing for the presence of the metabolites of drugs will be conducted by the analysis of urine, blood and hair.

Any employee, who tests positive, will be subject to termination, either immediately, or where applicable, in accordance with existing collective bargaining agreements.

Unless contravened by the provisions of an existing collective bargaining agreement, an employee will be subject to the same consequences of a positive test if he/she refuses the screening or the test, adulterates or dilutes the specimen, substitutes the specimen with that from another person, or sends an imposter or refuses to cooperate in the testing process in such a way that prevents completion of the test.

Consequences

One of the goals of our drug-free workplace program is to encourage employees to voluntarily seek help with alcohol and/or drug problems. If, however, an individual violates the policy, the consequences are serious.

In the case of applicants, if he or she violates the drug-free workplace policy, the offer of employment can be withdrawn.

If an employee violates the policy, he or she will be subject to termination from employment immediately, or in accordance with the provisions of an existing collective bargaining agreement, where applicable.

Assistance

The Town of Stoughton recognizes that alcohol and drug abuse and addiction are treatable illnesses. We also realize that early intervention and support improve the success of rehabilitation. To support our employees, our drug-free workplace policy:

- Encourages employees to seek help if they are concerned that they or their family members may have a drug and/or alcohol problem.
- Encourages employees to utilize the services of qualified professionals in the community to assess the seriousness of suspected drug or alcohol problems and identify appropriate sources of help.
- Ensures the availability of a current list of qualified community professionals.
- Offers all employees and their family members assistance with alcohol and drug problems through the Employee Assistance Program (EAP).
- Allows the use of accrued paid leave while seeking treatment for alcohol and other drug problems.

Treatment for alcoholism and/or other drug use disorders may be covered by the employee benefit plan. However, the ultimate financial responsibility for recommended treatment belongs to the employee.

Shared Responsibility

A safe and productive drug-free workplace is achieved through cooperation and shared responsibility. Both employees and management have important roles to play.

All employees are required to not report to work or be subject to duty while their ability to perform job duties is impaired due to on- or off-duty use of alcohol or other drugs.

In addition, employees are encouraged to:

- Be concerned about working in a safe environment
- Support fellow workers in seeking help
- Use the Employee Assistance Program
- Report dangerous behavior to their supervisor

It is the supervisor's responsibility to:

- Inform employees of the drug-free workplace policy.
- Observe employee performance.
- Investigate reports of dangerous practices.
- Document negative changes and problems in performance.
- Counsel employees as to expected performance improvement.
- Refer employees to the Employee Assistance Program.
- Clearly state consequences of policy violations.

Communication

Communicating our drug-free workplace policy to both supervisors and employees is critical to our success. To ensure all employees are aware of their role in supporting our drug-free workplace program:

- All employees will receive a written copy of the policy.
- The policy will be reviewed in orientation sessions with new employees.
- The policy and assistance programs will be reviewed at safety meetings.
- Employee education about the dangers of alcohol and drug use and the availability of help will be provided to all employees.
- Every supervisor will receive training to help him/her recognize and manage employees with alcohol and other drug problems.

Adopted by vote of the Town of Stoughton Board of Selectmen on December 18, 2012

By signing below, I acknowledge that I have received, read, and understand the Town of Stoughton's Drug Free Workplace Policy.

Name: _____

Title: _____

Department: _____

Date of Hire: _____

Signature: _____ Date: _____

Town of Stoughton Equal Employment and Affirmative Action (EEO/AA) Policy

I. Purpose and Goal

It is the policy of the town of Stoughton to provide equal employment opportunity to all and to administer working conditions without regard to race, color, religion, national origin, sex or age, physical and/or mental handicap or sexual preference.

II. Definitions

“Affirmative Action Officer” (AAO) The Human Resources Director or a designee of the Town Manager shall serve as the Affirmative Action Officer and shall be responsible for the implementation of this Employment Policy. The AAO will report directly to the Town Manager, in all matters related to EO/AA related issues.

“Disabled Person”, is any person who has a physical or mental impairment which substantially limits one or more of such person’s major life activities, has a record of such impairment, or is regarded as having such impairment.

III. Policy Statement

The policy of the Town of Stoughton is to provide equal employment opportunity to all candidates for employment or appointment and administer working conditions, benefits, privileges of employment, training, advancement, upgrading, promotion, transfers and termination of employment for all employees without regard to race, color, religion, national origin, marital status, sex or age, physical and/or mental handicap or sexual preference. This policy applies to all employment decisions, employment agreements and contracts for the procurement of goods and services.

Furthermore, it is the policy of the Town to take affirmative action to attract qualified candidates for employment who are minority, female, individuals with disabilities, disabled veterans and veterans of the Vietnam Era; to ensure that bona fide job-related and valid requirements are used to evaluate employees for promotion and applicants for employment; and to comply with applicable federal, state and local laws, statutes, orders and regulations prohibiting discrimination on the basis of race, color, religion, gender, age, national or ethnic origin, sexual orientation, veteran status or non-job-related disability.

IV. Dissemination

It shall be the responsibility of the Affirmative Action Officer to properly disseminate this policy both internally and externally. The Affirmative Action Officer shall distribute the Policy to all employees and department heads, post a copy of this Policy on the internal bulletin boards, and, through the Town’s Procurement Officer, incorporate a nondiscrimination clause in all purchase orders, leases, and contracts for the procurement of goods and services.

V. Enforcement Procedure

Any individual who believes that he or she has been discriminated against due to an employment decision may bring his or her concern directly to the Affirmative Action Officer (AAO). If the complaint of discrimination is against the Affirmative Action Officer, then the employee may bring the complaint to the Town Manager. All complaints shall be provided in writing, signed and dated by the individual alleging the discrimination. The AAO or the Town Manager who receives the complaint shall provide the complainant a written, signed and dated receipt of the complaint. Complaints of discrimination will be thoroughly investigated and a written report prepared within thirty (30) days of receipt. If the investigation reveals that discrimination did occur, the investigating officer shall immediately inform the Town Manager, or if the allegation is against the Town Manager, the Board of Selectmen in writing, and document the steps taken to remedy the situation.

In addition to seeking internal problem resolution, an employee may also file a formal complaint with either or both of the government agencies listed below. In order to protect the charging party's rights, the employee must file a charge with the Massachusetts Commission Against Discrimination (MCAD) within the timeframe set by statute or regulation (presently 300 days) from the date of the alleged discriminatory act. A complaint under federal law should be filed with the United States Equal Employment Opportunity Commission (EEOC) within the timeframe set by statute or regulation (presently 180 days) from the date of the alleged discriminatory act.

Massachusetts Commission Against Discrimination (MCAD)

Boston Office: The John McCormack Building,
One Ashburton Place, Room 601,
Boston, MA 02108;
(617) 994-6000

The United States Equal Employment Opportunity Commission (EEOC)

Boston Office: John F. Kennedy Federal Building,
475 Government Center,
Boston, MA 02203;
(800) 669-4000; (617) 994-6000

Adopted by vote of the Town of Stoughton Board of Selectmen on December 18, 2012

By signing below, I acknowledge that I have received, read, and understand the Town of Stoughton's Equal Employment Opportunity and Affirmative Action Policy.

Name: _____

Title: _____

Department: _____

Date of Hire: _____

Signature: _____ Date: _____

Town of Stoughton **Workplace Conduct Policy**

Town employees, officials, agents, consultants, volunteers and any person conducting business with or for the Town of Stoughton have an obligation to conduct themselves in a professional manner in the work place and at all Town sponsored events. Town employees, officials, agents, consultants, and volunteers will carry out their duties in an efficient and competent manner, maintaining all required professional standards. While engaged in their duties, employees, officials, agents, consultants, volunteers and any person conducting business for the Town of Stoughton are expected to act honestly, conscientiously, reasonably, and in good faith, always upholding the interests of the Town and the welfare of its residents.

All Town employees, officials, agents, consultants, volunteers and any person conducting business for the Town of Stoughton will respect the privacy of every individual as required by applicable laws and regulations. All Town employees, officials, agents, consultants, volunteers and any person conducting business for the Town of Stoughton will use Town property, resources, or funds only for Town purposes.

In addition, the Town of Stoughton prohibits, and will not tolerate harassing, offensive, insubordinate or unprofessional behavior by or towards any employee, official, agent, consultant, volunteer and any person conducting business with or for the Town of Stoughton. Repeated, unreasonable, or offensive actions in the workplace that impact the psychological or physical health, safety, or economic security of any employee, official, agent, consultant, volunteer, and any person conducting business with or for the Town of Stoughton, or any actions that create a risk to the health, safety, or economic security of any above noted individual, is expressly prohibited.

It is expected that everyone will conduct themselves in a professional manner in the work place and at all employer sponsored events. All employees, officials, agents, consultants, volunteers and any person conducting business with or for the Town of Stoughton are expected to treat others with the same high standards that they expect. Failure to behave in a manner consistent with the standards of conduct and policies included herein may result in disciplinary action being initiated against any offending employee. Managers are expected to enforce this policy with their respective employees.

If any person feels that he or she is being subjected to bullying, harassing, offensive, insubordinate or unprofessional behavior of any kind, they are encouraged to object to the behavior and report such behavior to their supervisor. Any supervisor who receives a complaint or who has reason to believe that such behavior is occurring, shall report such information to the Human Resources Administrator or the Town Manager. Any employee, official, agent, consultant, volunteer and any person conducting business with or for the Town who engages in, or has knowledge of such behavior is subject to appropriate consequences, discipline, or termination.

All complaints of such behavior will be investigated promptly, fairly and completely by the Human Resources Administrator or the Town Manager. The investigator may require a written statement from the individual who feels that he or she is being subjected to bullying, harassing, offensive, insubordinate or unprofessional behavior of any kind in such form and containing such information as they may require. The facts discovered and results of each investigation shall be reported to the Town Manager or the Board of Selectmen, if the allegation is against the Town Manager, by the investigator in writing.

In each instance, the facts found as a result of such investigation shall determine the response to be made to each particular complaint. Each situation will be handled as discreetly as is possible to protect the "victim" of such behavior. Resolution of complaints can include, but are not necessarily limited to, a directive to cease the offensive behavior, a verbal warning, a written warning, termination, or when appropriate, exclusion from the worksite.

In the event that improper behavior by the same person reoccurs, such conduct should immediately be reported to the Human Resources Administrator or the Town Manager. The Town of Stoughton prohibits and will not tolerate retaliation or intimidation directed towards anyone who makes a complaint pursuant to this policy or those assisting in the investigation of any such complaint.

Adopted by vote of the Town of Stoughton Board of Selectmen on December 18, 2012

By signing below, I acknowledge that I have received, read, and understand the Town of Stoughton's Workplace Conduct Policy.

Name: _____

Title: _____

Department: _____

Date of Hire: _____

Signature: _____ Date: _____

Town of Stoughton **Harassment/Sexual Harassment Policy**

I) Introduction

It is the goal of the Town of Stoughton to promote a workplace that is free of harassment and sexual harassment. Harassment and 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 the Town. Further, any retaliation against an individual who has complained about harassment or sexual harassment, or retaliation against individuals for cooperating with an investigation of a harassment or sexual harassment complaint, is similarly unlawful and will not be tolerated. To achieve the goal of providing a workplace free from harassment and sexual harassment, the conduct that is described in this policy will not be tolerated. In this policy, the Town has provided a procedure by which inappropriate conduct will be dealt with, if encountered by employees. Because the Town of Stoughton takes allegations of harassment or sexual harassment seriously, the Town will respond promptly to complaints of harassment or sexual harassment, and where it is determined that such inappropriate conduct has occurred, we will act promptly to eliminate the conduct and impose such corrective action as is necessary, including disciplinary action, where appropriate. While this policy sets forth the Town's goals of promoting a workplace that is free of harassment and sexual harassment, the policy is not designed or intended to limit any authority to discipline or take remedial action for workplace conduct which is deemed unacceptable, regardless of whether that conduct satisfies the definition of either harassment or sexual harassment.

II) General Harassment

A. Definition

The Town of Stoughton takes any form of harassment very seriously and regards any form of harassment as a possible violation of an individual's civil rights. Per definition, harassment is the willful and malicious engagement in a knowing pattern of conduct, or series of acts, directed at a specific person or group over a period of time that annoys, alarms, or torments that person or group, and causes that person or group to suffer harm or emotional distress. Harassment can be verbal or physical, and includes behavior that is perpetrated by telephonic or telecommunication devices, including but not limited to: e-mail, internet communications, and facsimile communications. In addition, the use of inappropriate terms, as well as signs or symbols of a racial, religious, ethnic, sexual, or gender-based bias, that are meant to de-humanize and cause pain to an individual or group, will be considered as a form of harassment as well.

B. Complaints of Harassment

The Town feels very strongly about the inappropriateness of harassment, and endorses pro-active efforts to prevent harassment by regularly educating Town officials, supervisors, employees and volunteers about it. Any official, supervisor, employee, volunteer, visitor or citizen who

witnesses, or who feels that they are the victims of harassment, are strongly encouraged to report any knowledge of this kind of behavior to any member of the Harassment Team or any appropriate Town official or administrator. Any Town officer or administrator who has been provided with this information should immediately convey this information to a member of the Harassment Team, who will subsequently inform the alleged victim of his/her options, which are:

- requesting that a member (or members) of the Harassment Team intervene on behalf of the alleged victim by addressing the incident(s) and/or offensive behavior(s) with the alleged harasser
- partaking in a joint meeting with the alleged harasser and a member (or members) of the Harassment Team to discuss the incident(s) and/or offensive behavior(s), and to identify strategies for correcting the situation
- filing an immediate and written grievance with the Human Resources Department to be referred to the Harassment Team.

The Harassment Team shall be designated by the Town Manager, and shall, at a minimum, consist of the Human Resources Director, the Director of Public Health, and the Town Manager. The Harassment Team shall receive training in harassment and/or discrimination issues, and understand all aspects of this policy, including the overriding need for confidentiality.

C. Investigation of Complaints of Harassment

A member (or members) of the Harassment Team will meet privately with any employee, individual, or group and where necessary the appropriate parent(s)/guardian(s), to hear a complaint, help resolve differences, or prevent a situation from escalating. Regardless of the option that an alleged victim pursues, it should be reiterated that any complaint will be guided by strict confidentiality for both the alleged victim and the alleged harasser, and that information will only be shared on a "need-to-know" basis. If any steps taken by the Harassment Team fail to resolve the issue, or if the alleged harassment and/or discrimination continues, or if there is any evidence of retaliation, the alleged victim, the individual communicating on behalf of the alleged victim (with his/her consent), and/or a member of the Harassment Team, shall submit an immediate and written grievance to the Human Resources Director. Upon receipt of a written grievance, the Human Resources Director will inform all necessary parties, including where necessary the appropriate parent(s)/guardian(s), that he/she has received a written grievance and that he/she will begin a formal investigation into the alleged conduct. During the Human Resources Director's investigation, the due process and confidentiality rights of the alleged victim and the alleged harasser will be honored. Upon completion of the investigation, the Human Resources Director will communicate his/her decision to the Harassment Team and any appropriate individual(s), and he/she will also render his/her decision in writing. The Human Resources Director may publish an executive summary of his/her decision in order to preserve the confidentiality involved in the process.

D. Disciplinary Action

Where necessary and appropriate, disciplinary action will be imposed; it may include, but it is not limited to:

- Suspension
- Referral to legal and/or court authorities
- Mandatory counseling and/or educational programming
- Termination

III) Sexual Harassment**A. Definition**

By law, all employers must adopt a separate harassment policy that specifically addresses issues pertinent to sexual harassment or sexual discrimination. Therefore, this policy is being communicated in accordance with the law, and with the intent of developing and maintaining a safe and trusting work environment that not only enhances each individual's sense of self-confidence and self-esteem, but ensures that individuals who are employed by or perform services for the Town of Stoughton understand what sexual harassment and sexual discrimination is, know how to identify it, and are aware of the protocol for reporting such behavior.

In Massachusetts, the legal definition for sexual harassment is:

“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 a basis for employment decision; or
- b) such advances, requests or conduct have the purpose or effect of unreasonable interfering with an individual's work performance by creating an intimidating, hostile, humiliating or sexually offensive work environment.

To clarify this definition for this policy, the Town of Stoughton declares that “sexual harassment” constitutes sexual advances whether they involve physical touching or not, requests for sexual favors, and other verbal or physical conduct of a sexual nature that has the purpose or effect of unreasonably interfering with an individual's work performance by creating an intimidating, hostile, humiliating, or sexually offensive environment; such as unwelcome leering, whistling, brushing against the body, sexual gestures, suggestive comments, sexual epithets, written or oral references to sexual conduct, gossip regarding one's sexual activity, deficiencies or prowess, or displaying sexually suggestive objects, pictures, cartoons. Stated in another way, it is defined by the victim (who may be an employee or an individual performing services for the Town such as a contractor or volunteer), and the definition covers a range of behaviors, including but not limited to: sexual insults and name-calling, gossip, jokes, intimidation by words or actions, offensive touching, and pressure for sexual activity. Sexual harassment can also be subtle and ambiguous, or direct and overt, and it should be known that both males and females, both

young and old, can be victims. To further define the term, "sexual harassment" can be 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.

Since sexual harassment is prohibited by both federal and state statutes, it should be understood that, like any form of harassment, it will not be tolerated, and that any person found to be guilty of sexual harassment will be subject to severe disciplinary consequences, as well as any applicable state or federal laws. Furthermore, in any case where there is the suspicion of the sexual abuse of an individual under the age of eighteen, officials, supervisors, fellow employees or appropriate individuals must report such incidents to a member of the Harassment Team. Additionally, all employees should take special note that 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 this organization.

B. Complaints of Sexual Harassment

In light of the aforementioned, any employee or individual who feels that he/she is a victim of sexual harassment is encouraged to report the incident(s) to a manager, supervisor, administrator or a member of the Harassment Team. Any Town officer, administrator, or supervisor, who has been provided with this information, should immediately convey this information to the Human Resources Director or the Harassment Team, who will subsequently inform the alleged victim of his/her options, which include:

- requesting that a member (or members) of the Harassment Team intervene on behalf of the alleged victim by addressing the incident(s) and/or offensive behavior(s) with the alleged harasser
- partaking in a joint meeting with the alleged harasser and a member (or members) of the Harassment Team to discuss the incident(s) and/or offensive behavior(s), and to identify strategies for correcting the situation
- filing an immediate and written grievance with the Human Resources Director or the Harassment Team

The Harassment Team, designated by the Town Manager, shall, at a minimum, consist of the Human Resources Director, the Director of Public Health, and the Town Manager. They shall have received training in sexual harassment and/or sexual discrimination and sexual assault/abuse issues, and understand all aspects of this policy, including the need for confidentiality. Regardless of the option that an alleged victim pursues, it should be reiterated that any complaints of sexual harassment will be guided by strict confidentiality for both the alleged victim and the alleged harasser, and that information will only be shared on a "need-to-know" basis. If any steps

taken by the Harassment Team fail to resolve the issue, or if the alleged sexual harassment continues, or if there is any evidence of retaliation, the alleged victim, the individual communicating on behalf of the alleged victim (with his/her consent), and/or a member of the Harassment Team, shall submit an immediate and written grievance to the Human Resources Director.

C. Investigation of Complaints of Sexual Harassment

Upon receipt of a written grievance, the Human Resources Director will inform all necessary parties, and where necessary the appropriate parent(s)/guardian(s), that he/she has received a written grievance and that he/she will begin a prompt formal investigation into the alleged conduct. During the Human Resources Director's investigation, the due process and confidentiality rights of the alleged victim and the alleged harasser will be honored. Upon completion of the investigation, the Human Resources Director will communicate his/her decision to the appropriate individual(s) and the Harassment Team, and he/she will also render his/her decision in writing. The Human Resources Director may publish an executive summary of his/her decision in order to preserve the confidentiality involved in the process.

D. Disciplinary Action

Where necessary and appropriate, disciplinary action will be imposed; it may include, but it is not limited to:

- Suspension
- Referral to legal and/or court authorities
- Mandatory counseling and/or educational programming
- Termination

In addition to the above, if a complainant believes that he/she has been subjected to sexual harassment, he/she 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 the agencies has a short time period for filing a claim (EEOC - 180 days; MCAD – 300 days from the date of the alleged conduct).

Massachusetts Commission Against Discrimination (MCAD)

Boston Office: The John McCormack Building,
One Ashburton Place, Room 601,
Boston, MA 02108;
(617) 994-6000

The United States Equal Employment Opportunity Commission (EEOC)

Boston Office: John F. Kennedy Federal Building,
475 Government Center,
Boston, MA 02203;
(800) 669-4000; (617) 994-6000

Adopted by vote of the Town of Stoughton Board of Selectmen on December 18, 2012

By signing below, I acknowledge that I have received, read, and understand the Town of Stoughton's Harassment/Sexual Harassment Policy.

Name: _____

Title: _____

Department: _____

Date of Hire: _____

Signature: _____ Date: _____

Town of Stoughton Computer and Internet Usage Policy

I. Purpose and Goal

The purpose of this policy is to set forth policies and guidelines for: access to the Town of Stoughton's (Town) computer system ; and acceptable, safe use of the Internet and related services. The Town's computer and other electronic systems, including but not limited to electronic mail (e-mail), and the Internet, are intended to provide an efficient and effective means of internal and external communications, and to improve work productivity and work products. This policy is intended to guide Town employees, volunteers, and contractors in the performance of their duties.

This policy serves as notice to the employees, volunteers, and contractors of the Town that all data, including any that is stored or printed as a document, is subject to audit and review. There is no expectation of personal privacy in the use of the Internet and e-mail systems when using equipment or services provided by the Town.

This policy serves to delineate acceptable uses of the Internet and e-mail systems by Town employees, volunteers, and contractors (collectively referred to as "users") while using equipment, facilities, Internet addresses, domain names, and/or e-mail services registered to or provided by the Town (collectively known as the system). It also seeks to ensure that the use of Internet and e-mail systems by Town users while using equipment, facilities or systems provided by the Town is consistent with Town policies, all applicable laws, and the individual user's job responsibilities.

II. Policy Statement

The Town promotes Internet and e-mail use that enables users to perform duties related to the Town's mission and encourages users to develop Internet and e-mail skills and knowledge. It is expected that employees will use the Internet and e-mail to improve their job knowledge; to access scientific, technical, and other information on topics that have relevance to the Town; and to communicate with their peers in other government agencies, academia, and industry on matters of relevance to their work for the Town.

This policy applies to:

- all technical resources provided by the Town that are used on or accessed from Town premises, or that are used for Town business;
- all activities using any Town accounts, subscriptions, or other technical services, regardless of the point of access;
- all full or part-time employees of the Town and all volunteers or contractors who use the Town system.

III. Statement of Limited Business Purpose

The Town is providing users with access to the Town's computer system, which includes Internet and e-mail access. The purpose of the system is not to provide users with general access to the Internet and e-mail. The Town system has a limited business purpose, which includes: improving job related knowledge; accessing scientific, technical, and other information on topics that have relevance to the Town; and communicating with peers in other government agencies, academia, and industry on matters of relevance to work for the Town. Users are expected to use Internet and e-mail access through the Town system for purposes consistent with the mission of the Town and Town policies. Uses that might be acceptable on a user's personal account or on another system may not be acceptable on this limited purpose computer system.

IV. Declaration of Privilege: Use of System

The use of the Town system and access to use of the Internet is a privilege, not a right. The Town has the right to place reasonable restrictions on the use of equipment, resources and material users access or post through the system. Users are also expected to follow the rules set forth in the Town's rules and regulations governing conduct, disciplinary code, and the law in their use of the Town's equipment and networks. This access has not been established as a public access service or a public forum. All access and rights are privileges granted by the Town, and users should expect no privacy rights. Depending on the nature and degree of the violation and the number of previous violations, unacceptable use of the Town system, the Internet, or e-mail may result in one or more of the following consequences: suspension or cancellation of use of access privileges; payments for damages and repairs; discipline under other appropriate Town policies or collective bargaining agreements, including termination of employment; or civil or criminal liability under other applicable laws.

V. Unacceptable Uses

A. The following uses of the Town system and Internet resources or accounts are considered unacceptable:

- Users will not use the Town system to access, review, upload, download, store, print, post, or distribute pornographic, obscene or sexually explicit material.
- Users will not use the Town system to transmit or receive obscene, abusive, profane, lewd, vulgar, rude, inflammatory, threatening, disrespectful, or sexually explicit language.
- Users will not use the Town system to access, review, upload, download, store, print, post, or distribute materials that use language or images that are inappropriate to the workplace setting or disruptive to the work process and will not post information or materials that could cause damage or danger of disruption.
- Users will not use the Town system to access, review, upload, download, store, print, post, or distribute materials that use language or images that advocate violence or discrimination toward other people (hate literature) or that may constitute harassment or discrimination.

- Users will not use the Town system to knowingly or recklessly post false or defamatory information about a person or organization, or to harass another person, or to engage in personal attacks, including prejudicial or discriminatory attacks.
- Users will not use the Town system to engage in any illegal act or violate any local, state or federal statute or law.
- Users will not use the Town system to vandalize, damage or disable the property of another person or organization, will not make deliberate attempts to degrade or disrupt equipment, software or system performance by spreading computer viruses or by any other means, will not tamper with, modify or change the Town system software, hardware or wiring or take any action to violate the Town system's security, and will not use the Town system in such a way as to disrupt the use of the system by other users.
- Users will not use the Town system to gain unauthorized access to information resources or to access another person's materials, information or files without the implied or direct permission of that person.
- Users will not use the Town system to post private information about another person or to post personal contact information about themselves or other persons including, but not limited to, addresses, telephone numbers, work addresses, identification numbers, account numbers, access codes or passwords, and will not repost a message that was sent to the user privately without permission of the person who sent the message.
- Users will not attempt to gain unauthorized access to the Town system or any other system through the Town system, attempt to log in through another person's account, or use computer accounts, access codes or network identification other than those assigned to the user.
- Users will not use the Town system to violate copyright laws, or usage licensing agreements, or otherwise to use another person's property without the person's prior approval or proper citation, including the downloading or exchanging of pirated software or copying software to or from any Town computer, and will not plagiarize works they find on the Internet.
- Users will not use the Town system for the conduct of a business, for unauthorized commercial purposes or for financial gain unrelated to the mission of the Town. Users will not use the Town system to offer or provide goods or services or for product advertisement. Users will not use the Town system to purchase goods or services for personal use without authorization from the appropriate Town official. Users will not use the Town system for political purposes.
- Users will not install, update, or modify software or hardware on any component of the Town system without the express written consent of the IT Director.

B. If a user inadvertently accesses unacceptable materials or an unacceptable Internet site, the user shall immediately disclose the inadvertent access to an appropriate Town official. This disclosure may serve as a defense against an allegation that the user has intentionally violated this policy.

VI. Declaration of Limited Expectation of Privacy

By authorizing use of the Town system , the Town does not relinquish control over any of the components of the system , materials stored in the system, or contained in files in the system . Users should expect only limited privacy in the contents of personal files on the Town system. Routine maintenance and monitoring of the Town system may lead to a discovery that a user has violated this policy, another Town policy, or the law.

An individual investigation or search will be conducted if Town authorities have a reasonable suspicion that the search will uncover a violation of law or Town policy.

Town employees should be aware that data and other materials in files maintained on the Town system may be subject to review, disclosure or discovery under local, state, or federal law. The Town will cooperate fully with local, state and federal authorities in any investigation concerning or related to any illegal activities and activities not in compliance with Town policies conducted through the Town system.

In the event there is an allegation that a user has violated the Town Computer and Internet Use Policy, the user will be provided with a written notice of the alleged violation and will be provided with notice and opportunity to be heard in the manner set forth in the Town's policies. Disciplinary actions may be taken.

User violations of the Town Computer and Internet Use Policy will be handled in accordance with law, Town Policy or collective bargaining agreement(s), as applicable.

VII. Internet Use Agreement

The proper use of the Internet, and the workplace value to be gained from proper Internet use, is the responsibility of users of the Town system. The Internet/Acceptable Use Agreement form must be read and signed by the user. The form must then be filed at the appropriate town office.

VIII. System Security Obligations

- Users are responsible for the use of their individual access account and should take all reasonable precautions to prevent others from being able to use their account. Under no conditions should a user provide his/her password to another person.
- Attempts to log on to the Town's private network or any other network as a system administrator is prohibited without the express written consent of the IT Director.
- Any user identified as a security risk or having a history of violating this or any other Computer and Internet Use Policy may be denied access to the Town's private network.

- Users will avoid the inadvertent spread of computer viruses by following the Town virus protection procedures and will not disable or otherwise tamper with Town anti-virus software.
- Users should immediately notify a system administrator of any possible security problem.
- Users will promptly disclose to their supervisor any message received that is inappropriate.

IX. Notice of Content Filtering

In recognition of the need to establish a safe and appropriate computing environment, the Town will use content filtering technology to prevent access, to the degree possible, to objectionable or unsuitable content that might otherwise be accessible via the Internet. Filtering technology is not foolproof and the use of filtering technology does not relieve users of their responsibilities under this policy.

X. Limitation of Town Liability

Use of the Town system is at the user's own risk. The system is provided on an "as is, as available" basis. The Town will not be responsible for any damage users may suffer, including, but not limited to, loss, damage or unavailability of data stored on Town diskettes, tapes, hard drives or servers, or for delays or changes in or interruptions of service or mis-deliveries or non-deliveries of information or materials, regardless of the cause. The Town is not responsible for the accuracy or quality of any advice or information obtained through or stored on the Town system. The Town will not be responsible for financial obligations arising through unauthorized use of the Town system or the Internet.

XI. User Notification

- A. All users shall be notified of the Town policies relating to Computer and Internet use.
- B. This notification shall include the following:
 1. Notification that Computer and Internet use is subject to compliance with Town policies.
 2. Disclaimers limiting the Town's liability relative to:
 - a. Information stored on Town diskettes, hard drives or servers.
 - b. Information retrieved through Town computers, networks or online resources.
 - c. Personal property used to access Town computers, networks or online resources.
 - d. Unauthorized financial obligations resulting from use of Town resources/accounts to access the Internet.
 3. A description of the privacy rights and limitations of Town sponsored/managed Internet accounts.

4. Notification that, even though the Town may use technical means to limit Internet access, these limits do not provide a foolproof means for enforcing the provisions of this acceptable use policy.
5. Notification that goods and services can be purchased over the Internet that could potentially result in unwanted financial obligations and that any financial obligation incurred by a user through the Internet is the sole responsibility of the user.
6. Notification that should the user violate the Town's Computer and Internet Use Policy, the user's access privileges may be revoked, disciplinary action may be taken and/or appropriate legal action may be taken.
7. Notification that all provisions of the acceptable use policy are subordinate to local, state and federal laws.

XII. Administration

1. The IT Director has the responsibility and authority for the development, publication, implementation and ongoing administration and enforcement of the processes and techniques required to protect the Town of Stoughton's computer systems from unauthorized access, loss or misuse.
2. Department managers have the responsibility to establish a system to ensure adequate supervision of users using the system and to maintain executed user agreements for system users. They are also responsible for interpreting and enforcing this policy at the local level.
3. Local management has the responsibility to interpret and enforce this policy for employees including maintaining executed user agreements.

XIII. Implementation; Policy Review

The Town administration may develop appropriate guidelines and procedures necessary to implement this policy for submission to the Board of Selectmen for approval. Upon approval by the Board of Selectmen, such guidelines and procedures shall be an addendum to this policy.

The administration shall revise the user notifications, if necessary, to reflect the adoption of these guidelines and procedures. The Town's Internet policies and procedures are available for review by all users and members of the community. Because of the rapid changes in the development of the Internet, the IT Director shall conduct an annual review of this policy.

XIV. Discipline

Any violation of this policy is unethical and may constitute a violation of law. Should any violation be committed the system administrator may suspend or revoke access privileges. In addition, the Town may take disciplinary action and/or appropriate legal action.

Adopted by vote of the Town of Stoughton Board of Selectmen on December 18, 2012

By signing below, I acknowledge that I have received, read, and understand the Town of Stoughton's Computer and Internet Usage Policy.

Name: _____

Title: _____

Department: _____

Date of Hire: _____

Signature: _____ Date: _____

Town of Stoughton **Americans with Disabilities Act Policy and Grievance Procedure**

Policy

The Town of Stoughton is committed to the fair and equal employment of people with disabilities. The Town is also committed to providing fair and equal access or admission to all of its programs, services and activities to people with disabilities. It is the policy of the Town to reasonably accommodate individuals with disabilities unless the accommodation would impose an undue hardship. In accordance with the Americans with Disabilities Act and the Massachusetts Fair Employment Practice Act, accommodations will be provided to qualified individuals with disabilities when such accommodations are directly related to performing the essential functions of a job, competing for a job, or to enjoy equal benefits and privileges of employment. This policy applies to all job applicants, employees, employees seeking promotional opportunities, retirees, those seeking to use Town facilities, or those seeking to participate in Town programs, services or activities.

Grievance Procedure

This Grievance Procedure is established to meet the requirements of the Americans with Disabilities Act of 1990 ("ADA"). It may be used by anyone who wishes to file a complaint alleging discrimination on the basis of disability in the provision of services, activities, programs, or benefits by the Town of Stoughton. The Town's Equal Employment and Affirmative Action Policy governs employment-related complaints of disability discrimination.

All complaints under this policy should be in writing and contain information about the alleged incident, situation, barrier, problem, or discriminatory act in as much detail as possible, such as the location, date, and type of problem. All complaints should also list the name, address, and phone number of complainant. The complaint should be submitted by the grievant and/or his/her designee as soon as possible but no later than 60 calendar days after the alleged violation to:

ADA Compliance Coordinator
Town of Stoughton
Office of the ADA Compliance Coordinator
10 Pearl Street
Stoughton, Ma 02072

Alternative means of filing complaints, such as personal interviews or a tape recording of the complaint will be made available for persons with disabilities upon request.

Within 30 calendar days after receipt of the complaint, the ADA Compliance Coordinator or designee will meet with the complainant to discuss the complaint and possible resolutions. Within 30 calendar days of the meeting, the ADA Compliance Coordinator or designee will respond in writing, and where appropriate, in a format accessible to the complainant, such as large print, Braille, or audio tape.

The response will explain the position of the Town of Stoughton and offer options for substantive resolution of the complaint.

If the response by the ADA Compliance Coordinator or designee does not satisfactorily resolve the issue, the complainant and/or his/her designee may appeal the decision within 15 calendar days after receipt of the response to the Town Manager or designee. Within 15 calendar days after receipt of the appeal, the Town Manager or designee will meet with the complainant to discuss the complaint and possible resolutions. Within 15 calendar days after the meeting, the Town Manager or designee will respond in writing, and, where appropriate, in a form accessible to the complainant. The decision of the Town Manager or designee shall be the final resolution of the complaint by the Town.

All written complaints received by the ADA Compliance Coordinator or designee, appeals to the Town Manager or designee, and responses from these two offices will be retained by the Town of Stoughton for at least three years.

In addition to the above, if a complainant believes that he/she has been subjected to discrimination, he/she 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 the agencies has a short time period for filing a claim (EEOC - 180 days; MCAD – 300 days for the alleged violation).

Massachusetts Commission Against Discrimination (MCAD)

Boston Office: The John McCormack Building,
One Ashburton Place, Room 601,
Boston, MA 02108;
(617) 994-6000

The United States Equal Employment Opportunity Commission (EEOC)

Boston Office: John F. Kennedy Federal Building,
475 Government Center,
Boston, MA 02203;
(800) 669-4000; (617) 994-6000

Adopted by vote of the Town of Stoughton Board of Selectmen on December 18, 2012.

By signing below, I acknowledge that I have received, read, and understand the Town of Stoughton's ADA Policy.

Name: _____

Title: _____

Department: _____

Date of Hire: _____

Signature: _____ Date: _____

Town of Stoughton
PREGNANT WORKERS FAIRNESS ACT
Effective April 1, 2018

The Pregnant Workers Fairness Act (“the Act”) amends the current statute prohibiting discrimination in employment, G.L. c. 151B, §4, enforced by the Massachusetts Commission Against Discrimination (MCAD). The Act expressly prohibits employment discrimination in the Town of Stoughton 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 Town’s obligations to employees that are pregnant or lactating and the protections these employees are entitled to receive. Generally, the Town 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:

- The Town 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 on the employer. “Undue hardship” means that providing the accommodation would cause the employer significant difficulty or expense.
- Once an employee requests an accommodation, The Town 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 must be done in good faith. A reasonable accommodation is one 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 employer.
- The Town will not require a pregnant employee 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 employer.
- The Town will not refuse to hire a pregnant job applicant or applicant with a pregnancy-related condition, because of the pregnancy or the pregnancy-related condition, if an applicant is capable of performing the essential functions of the position with a reasonable accommodation.
- The Town will not deny an employment opportunity or take adverse action against an employee because of the employee’s request for or use of a reasonable accommodation for a pregnancy or pregnancy-related condition.
- The Town will not require medical documentation about the need for an accommodation 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.
- The Town will provide written notice to employees of the right to be free from discrimination due to pregnancy or a condition related to pregnancy, including the right to reasonable accommodations for conditions related to pregnancy in a pamphlet, or other means of notice no later than April 1, 2018.
- The Town will also provide written notice of employees’ rights under the Act: (1) to new employees at or prior to the start of employment; and (2) to an employee who notifies the employer of a pregnancy or a pregnancy-related condition, no more than 10 days after such notification.

If you believe you have been discriminated against on the basis of pregnancy or a pregnancy-related condition, you may file a formal complaint with the MCAD. You may also have the right to file a complaint with the Equal Employment Opportunity Commission if the conduct violates the Pregnancy Discrimination Act, which amended Title VII of the Civil Rights Act of 1964. Both agencies require the formal complaint to be filed within 300 days of the discriminatory act.

MASSACHUSETTS COMMISSION AGAINST DISCRIMINATION Offices
www.mass.gov/mcad/

Boston Headquarters: One Ashburton Place, Room 601, Boston, MA 02108 | (617) 994-6000

Springfield: 436 Dwight Street, Room 220, Springfield, MA 01103 | (413) 739-2145

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

New Bedford: 128 Union Street, Suite 206 New Bedford, MA 02740 | (774) 510-5801