



MILFORD TOWN CLERK

2021 FEB -5 AM 10:35

MILFORD PERSONNEL BOARD

Wednesday, February 10, 2021 – 6:30 P.M. (via ZOOM Meeting)

The Personnel Board invites public participation on all agenda items.

For those wishing to call in to listen or speak, please email haroldrhodes@comcast.net for the Conference Call Number.

AGENDA

- 1. CALL TO ORDER**
- 2. INVITATION TO SPEAK**
Please note – Milford residents are encouraged to participate at any time during this meeting.
- 3. PAYROLL/BUDGET** - Clerk Payroll
- 4. APPOINTMENTS**
 - a. Rick Villani: Salary Updates for Facilities Manager; Paralegal
- 5. APPROVAL OF ARTICLES: SPRING TOWN MEETING, 2021**
 - a. Article 2 – Cost of Living Adjustment (already approved)
 - b. Personnel By-law 1.06 – Definition of Appointing Authority
 - c. Personnel By-law 3.05, as amended
 - d. Personnel By-law 3.13, as amended
- 6. APPROVALS**
 - a. Minimum Wage - Motion to update all Article 2 positions currently under the State minimum wage be adjusted to \$13.50 per hour for FY22.
- 7. UPDATED CODIFICATION OF PERSONNEL BY-LAWS**
- 8. REPORT OF THE H.R. DIRECTOR**
 - a. Updated Current Personnel Summary – New Employees; Open Positions
 - b. Salary Classification Study – discussion only
 - i. Issues to be Remedied
 - ii. Overall Timeline, assuming 7/1/22 implementation
- 9. FUTURE AGENDA ITEMS**
- 10. APPROVAL OF MINUTES** – January 20, 2021
- 11. ADJOURNMENT**

Matters listed on this Agenda are those reasonably anticipated by the Chair to be discussed at the meeting. Not all items listed may, in fact, be discussed, and other items not listed may also be brought up for discussion to the extent permitted by law.

Signature:
Harold Rhodes, Chairman

Date:
February 5, 2021



MILFORD BOARD OF SELECTMEN

Room 11, Town Hall, 52 Main St. (Route 16), Milford, Massachusetts 01757-2679

Phone 508-634-2303 Fax 508-634-2324

William E. Kingkade, Jr., Chairman
Michael K. Walsh
Thomas J. O'Loughlin, Esq.

Richard A. Villani
Town Administrator

September 28, 2020

TO: Harold Rhodes, Chairman Personnel Board

FROM: Richard A. Villani, Town Administrator

RE: Salary Adjustments for Carlos Benjamin, Facilities Director
Salary Adjustment for Melissa Alves Tomas, Paralegal

DATE: February 3, 2021

On January 25, 2021, the Select Board voted the following motions for salary adjustments for Facilities Director, Carlos Benjamin and Paralegal Melissa Alves Tomas:

1. Mr. Walsh moved, seconded by Mr. O'Loughlin: To accept the Town Administrator's recommendation to advance Mr. Benjamin to Level 4, Step 6 with an annual salary of \$97,181.00 retroactive to the date of the Town Meeting Vote, January 7, 2021 and to advance him to Step 7 on July 1, 2021 with an annual salary of \$101,708.00 and to advance him to Step 8 on January 7, 2022 with an annual salary of \$106,234.00. UNANIMOUS.
2. Mr. O'Loughlin moved, seconded by Mr. Walsh: To advance Ms. Tomas to Level 1, Step 6 with an annual salary of \$68,886.00 retroactive to the date of the Town Meeting Vote, January 7, 2021 and to advance her to Step 7 on July 1, 2021 with an annual salary of \$72,095.00 and to advance her to Step 8 on January 7, 2022 with an annual salary of \$75,304.00. UNANIMOUS.

Thank you for your consideration.



MILFORD SELECT BOARD

Room 11, Town Hall, 52 Main St. (Route 16), Milford, Massachusetts 01757-2679
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William E. Kingkade, Jr., Chairman
Michael K. Walsh
Thomas J. O'Loughlin, Esq.

Richard A. Villani
Town Administrator

TO: William E. Kingkade, Jr., Chairman
Michael K. Walsh
Thomas J. O'Loughlin

FROM: Richard A. Villani, Town Administrator

RE: Facilities Director, Carlos Benjamin
Salary Increase Recommendation

DATE: January 25, 2021

This Memo is to provide a recommendation to the Board to increase the salary for Facilities Director Carlos Benjamin pursuant to Section 3.10 of the Personnel Bylaws.

As the Board knows, at the January 6, 2021 Special Town Meeting, the members approved an amendment to Section 3.10 which permits "under special circumstances, upon the recommendation of the department head, and with approval of both the appointing authority and the Personnel Board, such a person may: ...be advanced to a higher pay rate, but not in excess of the maximum, without regard to normal pay review schedules, periods or cycles."

It is clear to me that in the case of Mr. Benjamin, "special circumstances" exist to justify advancement to a higher pay rate. Carlos' role has expanded exponentially since he was appointed to the position. In the private sector, Carlos would be considered a "single point of failure". If he were to leave, the impact would have an immediate and significant detrimental effect to the Town. Carlos has assumed greater responsibility, often takes on work that arguably falls outside the scope of his position, and holds himself to a high standard of accountability. He has a work ethic that is rarely seen.

The position of Facilities Director is akin to the position of Facilities Director for the Schools, which is compensated at a higher rate than the Town position. The position requires for Carlos to be on call twenty-four hours for all facility related emergencies. I have personally observed Carlos going above and beyond in addressing emergencies at all times during the day and night, such as broken sewer pipes at the Police Station, roof compressor at the Police Station, responding to alarms and snow removal. Carlos was called in to work on New Year's Day a few years ago as the heating system failed at Town Hall. Carlos responded and went to Town Hall immediately, and without complaint.

Attached is a Listing of the Facilities Director Duties and Responsibilities. As the Board can readily see, it is an extensive listing.

Based on the foregoing, I am recommending Mr. Benjamin be advanced to Grade 4, Step 7 with an annual salary of \$101,708.00, retroactive to the date of the Town Meeting Vote, January 7, 2021 and to advance him to Step 8 on January 7, 2022 with an annual salary of \$106,234.00. UNANIMOUS.

E-6
1-25-21



TOWN OF MILFORD
LEGAL DEPARTMENT

Room 16, Town Hall, 52 Main St., Milford, Massachusetts 01757-2679
Phone 508-634-2302 Fax 508-634-2324


CHARLES D. BODDY, JR.
TOWN COUNSEL
cboddy@townofmilford.com

MELISSA V. TOMAS
PARALEGAL
mtomas@townofmilford.com

MEMORANDUM

TO: William E. Kingkade, Jr., Chairman
Michael K. Walsh
Thomas J. O’Loughlin, Esq.

CC: Richard A. Villani, Esq., Town Administrator

FROM: Charles D. Boddy, Jr., Town Counsel 

DATE: January 22, 2021

RE: Melissa V. Tomás

I request the assignment of Town Paralegal/Office Manager Melissa Tomás within the levels of salaried positions of the Town of Milford pursuant to the legal obligations imposed upon me by Section 3.12 of the Milford Personnel By-Laws which provides, “Department Heads...having Town employees, not otherwise exempted from this Plan, under its jurisdiction shall be responsible for seeing that the wages or salaries, benefits and privileges received by those employees are in accordance with *and only in accordance with* the Classification and Compensation Plan.” It is my intention to fulfill my duty. (Emphasis added.)

BACKGROUND:

Mrs. Tomás has been employed by the Town for the past thirteen years. She has a proven track record of positive performance. After assuming the role of Community Development Director upon the promotion of her predecessor, Melissa was encouraged by then Town Counsel Gerry Moody to apply for the vacant Paralegal’s position in the Legal Department. Her intellect, work-ethic, poise, abilities to multi-task and work under pressure, her attention to detail, and her superior interpersonal, cross-cultural, bilingual, and communication skills made her a prime candidate.

Melissa’s skills continue to be recognized, as evidenced by the various offers she receives, from time to time, to transfer to other departments. She is a desired employee, a product of the Milford Public Schools, a daughter of Milford, and an asset to any department she serves. Upon the retirement of prior Town Counsel, Melissa ran the Legal Department until I

arrived, handling all routine matters, and bringing anything beyond her ken to the attention of the Town Administrator, a licensed and practicing attorney.

One year ago, I initiated a review of her compensation when I realized her actual compensation rate. As a result of that review, it was determined that Melissa's compensation was:

- 1.) inadequate for her level of responsibility, and;
- 2.) inconsistent with salary levels of paralegals in Massachusetts, generally, and;

A review of her responsibilities last year resulted in the recognition that as a paralegal with a college degree and a paralegal certificate who goes to court on the Town's behalf and handles claims and collections for all Town departments, her salary is inadequate. She handles matters of the highest confidentiality for the Town. She was permanently and unanimously moved to a salaried position last year with an as-yet unassigned level and step designation. This action was designed to create an equitable compensation for her. Due to COVID-19, her level and step were never designated. As a result, she lost the standard annual pay increase paid to hourly employees. Rather than fix the problem, we made it worse.

SALARY REVIEW:

Furthermore, a review of paralegal salaries both in the public and private sector by our current Human Resources Director, Kristin Melpignano, demonstrates that the median salary range for paralegals ranges from \$53,485 to \$94,285 depending upon qualifications, experience and job demands. Melissa meets the highest qualifications within that spread, and the demands of her job, while not as technical as others, are toward the high end of the range.

REQUESTED ACTION:

To remedy the inequity and to preserve this valuable human asset for the Town, it is fair and just to place Mrs. Tomás within Level I at Step 7. She deserves this status, and much more for putting up with my daily histrionics!

I remind you, Mrs. Tomás fulfills her duties professionally, faithfully, fairly, impartially, precisely, and with great deference and respect for the public she serves. She is a native-born asset that the wonderful Town of Milford cannot afford to lose.

Thank you for your consideration. I am available, as is she, to answer any of your questions. I respectfully request your thoughtful consideration.

Article 2: Cost-of-Living Adjustment

Each year, the Personnel Board recommends to Town Meeting the Cost-of-Living adjustment, on advice of the Department of Finance.

To see if the Town will vote to provide a Cost-of-Living adjustment of 2.5%:

The Personnel Board votes a Cost-of-Living adjustment of 2.5% for all Article 2 employees, excepting records-keepers and committee clerks.

or take any other action related thereto.

Definitions – Appointing Authority**Background**

Currently, the definition of an “appointing authority” is not defined in the Town By-laws or in the Personnel By-laws. This amendment provides this clarification.

New Personnel By-Law 1.06:

To see if the Town will vote to amend Personnel By-Law 1.6 by defining the appointment authority for various positions as follows:

Appointing Authority: The Appointing Authority for town departments are, as follows.

	Department	Appointing Authority
1	Animal Control Department	Select Board
2	Benefits Department	Select Board
3	Building & Inspections Department	Select Board
4	Finance Department	Select Board
5	Human Resources Department	Select Board
6	Information Technology Department	Select Board
7	Legal Department	Select Board
8	Milford Fire Department	Select Board
9	Planning & Engineering Department	Select Board
10	Sealer of Weights & Measures Department	Select Board
11	Senior Center Department	Select Board
12	Tax Collector Department	Select Board
13	Town Administrator & Select Board's Office	Select Board
14	Veterans' Services Department	Select Board
15	Assessors' Office	Board of Assessors
16	Health Department	Board of Health
17	Milford Police Department	Chief of Police
18	Highway Department	Highway Surveyor

19	Transfer Recycle Station	Highway Surveyor
20	Milford Town Library	Library Trustees
21	Milford Youth Center	Milford Youth Commission
22	Milford Parks Department	Parks Commission
23	Milford Retirement Board	Retirement Board
24	Milford Public Schools	Superintendent of Milford Public Schools
25	Sewer Department	Sewer Commission
26	Town Clerk	Town Clerk

or take any other action related thereto.

3.5 – Service Records

Background

Currently, the non-financial portion of an Article 2 employee is secured by the Director of Human Resources; the financial portion of an Article 2 employee is secured by the Town Treasurer. This amendment provides this clarification.

Personnel By-Law 3.5:

To see if the Town will vote to amend Personnel By-Law 3.5 service records by deleting the current Personnel By-Law 3.5 in its entirety and inserting in its place and stead the following new By-Law 3.5:

~~Service Records shall be established and maintained for all permanent employees who are subject in any way to the provisions of this Plan. The record shall show the Name, Address, Date of Birth, Date of Employment, Veteran's Status, if any, and a chronological record of wage or salary progression, Civil Service and other ratings, if any, and such other information as may be deemed necessary or desirable for proper administration of the Plan. In order to maintain the said Service Record, the Personnel Board shall review for accuracy all changes in salaries or wages of employees, other than general annual cost of living adjustments, whose positions are included in the Plan prior to entering said changes on the Town's payroll.~~

Service Records shall be established and maintained for all employees who are subject to the provisions of this Plan. The Director of Human Resources shall determine the contents of the Service Record. The Director of Human Resources shall maintain the non-financial portion of the Service Record. The Town Treasurer and the Director of Human Resources shall each maintain the benefits and financial portion the Service Record.

or take any other action related thereto.

3.13 – Advancement to Next Step – Selection A**Background**

Currently, a salary advancement to the next higher step by an Article 2 employee is automatic. Selection A proposed amendment:

1. Requires the employee's department head to certify that the employee has rendered satisfactory service nor has been on a performance improvement plan before a salary advancement is made.
2. Clarifies the timing of the step increase. (This is the current procedure, now documented.)
3. Moves a sentence from Personnel By-law 3.5, which will be deleted with the adoption of the amended Personnel By-law 3.5.

Personnel By-Law 3.13:

To see if the Town will vote to amend Personnel By-Law 3.5 service records by deleting the current Personnel By-Law 3.13 in its entirety and inserting in its place and stead the following new By-law 3.13:

All employees who are rendering satisfactory service, in the opinion of their Department Head, and who are under the maximum wage or salary rate for the positions in which they are employed shall be advanced to the next grade annually (one year from the date of employment or date of advancement to present grade).

Note: This amendment paragraph is different in Selections A, B, and C.

Before the annual step increase for an employee, a Department Head shall submit in writing to the Director of Human Resources, on a form to be designated by the Director of Human Resources, that such employee (a) has rendered satisfactory service and nor (b) has been on a performance improvement plan for the last year.

Note: This amendment paragraph is the same in Selections A, B, and C.

For employees first employed before July 1, 2016, the step increase will take effect annually on July 1. For employees first employed July 1, 2016, or after, the step increase will take effect annually on the date of the employee's hiring. The Personnel Board shall approve all changes in salaries (excepting annual step increase), wages, and cost-of-living adjustments, prior to entering said changes on the Town's payroll. The Personnel Board shall review for accuracy all changes in salaries, wages, and annual cost of living adjustments whose positions are included in the Plan prior to entering said changes on the Town's payroll.

or take any other action related thereto.

3.13 – Advancement to Next Step – Selection B**Background**

Currently, a salary advancement to the next higher step by an Article 2 employee is automatic. Selection B proposed amendment:

1. Precludes a step increase if the employee (a) is subject to a Performance Improvement Plan on the employee's date for a step increase; or, (b) has been subject to a Performance Improvement Plan for any six-month period in the prior year before the employee's date for a step increase.
2. Clarifies the timing of the step increase. (This is the current procedure, now documented.)
3. Moves a sentence from Personnel By-law 3.5, which will be deleted with the adoption of the amended Personnel By-law 3.5.

Personnel By-Law 3.13:

To see if the Town will vote to amend Personnel By-Law 3.5 service records by deleting the current Personnel By-Law 3.13 in its entirety and inserting in its place and stead the following new By-law 3.13:

All employees who are rendering satisfactory service, in the opinion of their Department Head, and who are under the maximum wage or salary rate for the positions in which they are employed shall be advanced to the next grade annually (one year from the date of employment or date of advancement to present grade).

Note: This amendment paragraph is different in Selections A, B, and C.

Any employee who (a) is subject to a Performance Improvement Plan on the employee's date for a step increase; or (b) has been subject to a Performance Improvement Plan for any six-month period in the prior year before the employee's date for a step increase, shall not receive a step increase for that year.

Note: This amendment paragraph is the same in Selections A, B, and C.

For employees first employed before July 1, 2016, the step increase will take effect annually on July 1. For employees first employed July 1, 2016, or after, the step increase will take effect annually on the date of the employee's hiring. The Personnel Board shall approve all changes in salaries (excepting annual step increase), wages, and cost-of-living adjustments, prior to entering said changes on the Town's payroll. The Personnel Board shall review for accuracy all changes in salaries, wages, and annual cost of living adjustments whose positions are included in the Plan prior to entering said changes on the Town's payroll.

or take any other action related thereto.

3.13 – Advancement to Next Step – Selection C

Background

Currently, a salary advancement to the next higher step by an Article 2 employee is automatic. Selection C proposed amendment:

1. Clarifies the timing of the step increase. (This is the current procedure, now documented.)
2. Moves a sentence from Personnel By-law 3.5, which will be deleted with the adoption of the amended Personnel By-law 3.5.

Personnel By-Law 3.13:

To see if the Town will vote to amend Personnel By-Law 3.5 service records by deleting the current Personnel By-Law 3.13 in its entirety and inserting in its place and stead the following new By-law 3.13:

Note: This amendment paragraph is the same in Selections A, B, and C.

For employees first employed before July 1, 2016, the step increase will take effect annually on July 1. For employees first employed July 1, 2016, or after, the step increase will take effect annually on the date of the employee's hiring. The Personnel Board shall approve all changes in salaries (excepting annual step increase), wages, and cost-of-living adjustments, prior to entering said changes on the Town's payroll. The Personnel Board shall review for accuracy all changes in salaries, wages, and annual cost of living adjustments whose positions are included in the Plan prior to entering said changes on the Town's payroll.

or take any other action related thereto.

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Personnel Board Article 2 Full-Time Position Summary - Draft H

ID	Article 2 Approved Position	Job Description Exists?	Last Update of Job Description	Job Description Online	Individual	Vacancy Since	Reports to	Department	Level	Step	Current Salary	Responsible Board Member
1	Assistant Town Counsel	Yes	2015	Yes	Vacant		Town Counsel	Legal	3	N/A	N/A	
2	Community Development Director	Yes	2015	Yes	Vacant		Town Administrator	Community Devel	1	N/A	N/A	
3	Paralegal/Office Manager	Yes	2020		Melissa Tomas		Town Counsel	Legal	1	3	\$57,816	
4	Network Administrator	Yes	2015		Vacant		IT Director	Information Tech	2	N/A	N/A	T. Miranda
5	IT Manager	Yes	2019	Yes	Vacant		IT Director	Information Tech	2	N/A	N/A	T. Miranda
6	System Administrator	Yes	2020		Andy Diorio		IT Director	Information Tech	2	6	\$80,226	
7	Benefits Coordinator	No	N/A		Kelly Capece		Town Administrator	Benefits	2	7	\$83,962	H. Rhodes
8	Local Building Inspector	Yes	2019	Yes	Dana Hinthorne		Building Commissioner	Building	2	1	\$61,543	
9	HR Director	Yes	2018	Yes	Kristen Melpignano		Town Administrator	Human Resources	2	6	\$83,962	J. Nosciglia
10	Highway Supervisor	Yes	2017	Yes	John Perry		Scott Crisafulli	Highway	3	8	\$90,476	
11	Senior Center Director	Yes	2015		Sue Clark		Town Administrator	Senior Center	3	Maxed	\$92,738	T. Persico
12	Town Planner	Yes	2015		Larry Dukin		Town Administrator	Planning	3	Maxed	\$95,538	T. Goggins
13	Assessor/Administrator	Yes	2015	Yes	Jenn Sclar		Board of Assessors	Board of Assessors	3	Maxed	\$94,592	T. Goggins
14	Youth Center Director	Yes	2018	Yes	Jen Ward		Youth Commission	Youth Center	3	5	\$78,929	T. Persico
15	Parks and Recreation Administrator	Yes	2018	Yes	Jim Asam		Parks Commission	Parks	3	6	\$82,785	
16	Police Lieutenant	Yes	2015		Vacant		Police Chief	Police	3	N/A	N/A	H. Rhodes
17	Director of Public Health	Yes	2015	Yes	Jackie Murphy		Board of Health	Health	3	7	\$86,640	
18	Town Engineer	Yes	2015		Mike Dean		Town Administrator	Engineering	4	8	\$103,643	
19	Director, Sewer Operations	Yes	2015	Yes	John Mainini		Sewer Commission	Sewer	4	Maxed	\$106,234	
20	Deputy Police Chief	Yes	2015	Yes	Jim Falvey		Police Chief	Police	4	7	\$99,227	H. Rhodes
21	Building Commissioner	Yes	2017	Yes	Matt Marcotte		Town Administrator	Building	4	6	\$94,811	
22	Facilities Director	Yes	2020		Carlos Benjamin		Town Administrator	Facilities	4	3	\$81,563	
23	Assistant Town Administrator	Yes	2020		Vacant		Town Administrator	Selectmen	4	N/A	N/A	
24	Information Technology Director	Yes	2020	Yes	Chris George		Finance Director	IT	5	5	\$114,091.00	
Hourly Rated Positions												
1	Clerk, Community Development PT/FT	No	N/A		Vacant		Comm. Dev. Director	Community Devel	1	N/A	N/A	
2	Clerk/Receptionist, Senior Center	Yes	2018	Yes	Frances Letizia		Senior Ctr. Director	Senior Center	1	3	\$19,72	
3	Building Custodian	Yes	2019	Yes	Multiple		Facilities Director	Facilities	1	Range	\$17.79 - \$24.53	
4	Legal Secretary	Yes	2015		Vacant		Town Counsel	Legal	1	N/A	N/A	
5	Planning Assistant	Yes	2015		Vacant		Town Engineer	Planning	1	N/A	N/A	
6	Van Driver/Senior Center	Yes	2015		Vacant		Senior Ctr. Director	Senior Center	1	N/A	N/A	
7	Volunteer Services Coordinator/Senior Center	No	N/A		N/A		Senior Ctr. Director	Senior Center	1	N/A	N/A	
8	Program Coordinator, Youth Center FT	Yes	2019	Yes	Vacant		Youth Center Director	Youth Center	1	N/A	N/A	

Personnel Board Article 2 Full-Time Position Summary - Draft H

ID	Article 2 Approved Position	Job Description Exists?	Last Update of Job Description	Job Description Online	Individual	Vacancy Since	Reports to	Department	Level	Step	Current Salary	Responsible Board Member
9	Admin. Services Coordinator	Yes	2015	Yes	Liz Fernandes		Town Administrator	Selectmen	2	8	\$30.66	
10	Admin. Asst. to Town Administrator	Yes	2019	Yes	Lena Pires		Town Administrator	Selectmen	2	2	\$23.43	
11	Asst. Animal Control Officer	Yes	2015	Yes	Sasha Sokol		Animal Control Officer	Animal Control	2	1	\$22.23	
12	Admin. Asst. to Senior Center Director	Yes	2015		Vacant		Senior Ctr. Director	Senior Center	2	N/A	N/A	
13	Asst. Director, Youth Center	Yes	2015		Vacant	20-Dec	Youth Ctr. Director	Youth Center	2	1	22.23	
14	Asst. Zoning Enforcement Officer PT/FT	Yes	2019	Yes	Jessica Mosco		Building Commissioner	Building	2	1	\$22.23	
15	Asst. to Fire Chief	Yes	2015		Paula O'Brien		Fire Chief	Fire	2	Maxed	\$31.43	
16	Asst. to Police Chief	Yes	2015		Jeanne Davoren		Police Chief	Police	2	Maxed	\$31.43	
17	Client Services Coordinator/Senior Center PT	Yes	2019		Kimberli Considine		Senior Ctr. Director	Senior Center	2	1	\$22.23	
18	Deputy Wiring Inspector	No	N/A		John Erickson		Building Commissioner	Building	2	Maxed	\$32.05	
19	Deputy Plumbing/Gas Inspector	No	N/A		Bento Pinto		Building Commissioner	Building	2	Maxed	\$32.05	
20	Dispatcher PT	Yes	2017		Multiple		Police Chief	Police	2	Range	\$22.23 - \$30.66	
21	Health Inspector FT	Yes	2019		Joan Clarico		Dir. Of Public Health	Board of Health	2	6	\$28.25	
22	Health Inspector PT	Yes	2019		Hannah Tavares		Dir. Of Public Health	Board of Health	2	4	\$25.84	
23	Human Resources Coordinator	Yes	2020		Vacant	New position ATM/2020	HR Director	Human Resources	2	N/A	N/A	
24	Lister/Data Collector	Yes	2015		Becky Alger		Assessor Admin.	Assessors	2	Maxed	\$32.05	
25	Outreach Coordinator/Senior Center PT	Yes	2015		Kim Considine		Senior Ctr. Director	Senior Center	2	1	22.23	
26	Plumbing/Gas Inspector	Yes	2018		Joe Zacchilli		Building Commissioner	Building	2	Maxed	\$32.05	
27	Program Coordinator/Community Develop PT/FT	No	N/A		Vacant		Comm. Dev. Director	Community Devel	2	N/A	N/A	
28	Program Coordinator/Senior Center PT	Yes	2019	Yes	Deirdre Thomson/Laura Neill		Senior Ctr. Director	Senior Center	2	2	\$23.43	
29	Property Rehab. Specialist/Community Develop PT	Yes	2015		Vacant		Comm. Dev. Director	Community Devel	2	N/A	N/A	
30	Senior Custodian	No	N/A		Vacant		Facilities Director	Facilities	2	N/A	N/A	
31	Technology Support Technician	Yes	2019	Yes	Vacant		IT Manager	Information Tech	2	N/A	N/A	
32	Transportation Coordinator/Senior Center	Yes	2015		Marie O'Leary		Sr. Ctr. Director	Senior Center	2	5	\$28.25	
33	Wiring Inspector	Yes	2018		Mike Mancini		Building Commissioner	Building	2	Maxed	\$32.05	
34	Animal Control Officer	Yes	2015	Yes	Keith Haynes		Town Administrator	Animal Control	3	8	\$32.20	
35	Asst. Town Accountant	Yes	2018	Yes	Vacant		Town Accountant	Finance	3	N/A	N/A	
36	Asst. Town Treasurer	Yes	2015	Yes	Janet Ferreira		Town Treasurer	Treasurer	3	Maxed	\$33.66	J. Donval
37	Financial Analyst PT	Yes	2015		Paul Abondanza		Finance Committee	Finance	3	8	\$32.20	J. Donval
38	Maintenance Supervisor	Yes	2015		Vacant		Town Administrator	Facilities	3	N/A	N/A	
39	Assistant Director of Public Health	Yes	2020	Yes	Lisa Tamagnini		Dir. Of Public Health	Board of Health	3	8	\$32.20	
Employees with Contracts* in Article 2 Positions												
1	Town Accountant*	Yes	2017		Tom Brown		Finance Director	Finance	2	Contract	\$74,000	
2	Tax Collector*	No	N/A		Terry Dies		Town Administrator	Tax Collector	2	Contract	\$88,587	
3	Town Treasurer*	Yes	2017		Chris Pilla		Finance Director	Finance	2	Contract	\$96,000	
4	Town Counsel*	Yes	2015		Charles Boddy		Board of Selectmen	Legal	5	Contract	\$128,177	
5	Fire Chief*	Yes	2015		Mark Nelson		Board of Selectmen	Fire	5	Contract	\$130,000	
6	Finance Director*	Yes	2014		Zach Taylor		Town Administrator	Finance	5	Contract	\$132,500	
7	Police Chief*	Yes	2015		Mike Pighetti		Board of Selectmen	Police	5	Contract	\$136,718	
8	Town Administrator*	No	N/A		Rick Villani		Board of Selectmen	Board of Selectmen	5	Contract	\$140,000	

TOWN OF MILFORD

PAY PLAN ISSUES



WHAT IS THE CURRENT STATUS?

- It has been six (6) years since the last pay plan was put into place. The Plan that was adopted was scaled down from 8 grades into 5, creating a compression* problem that has only been exacerbated over the years.
- *Pay **compression** is a compensation issue that develops over time. Also referred to as **wage** or salary **compression**, it occurs when there's little difference in pay between employees regardless of differences in their respective knowledge, skills, experience or abilities.



WHAT ABOUT THE TIMELINE?

- It is important to recognize the “lag factor” that plays into keeping wages and salaries competitive. Implementation would take at least one (1) year.
- Delaying action will only make it more costly and create more inequities both internally and externally.
- Budget due 3/1; need study \$\$ article for May Town Meeting; choose vendor; need 5 or 6 months for study.





WHAT HAS HAPPENED OVER TIME?

- *Market and internal inequity – without periodic studies, positions become ‘out of step’ with the market and internal inequity becomes inevitable. This alone could be motivation for employees to look for employment in other municipalities, or in private industry.



WHAT WERE SOME OF THE CONSEQUENCES OF THE LAST STUDY?

- The Town Treasurer is classified at a lower level than the Senior Center & Youth Center Directors and two grades below comparable positions in town, as is the case with HR, the Town Accountant and the Tax Collector.
- The HR Director as well as the Treasurer are still classified as non-Exempt, meaning both are eligible for overtime.

WHAT IS THE BOARD'S ROLE?

- The Personnel Board is charged in Section 2.4 of the bylaws to “review annually the wage and salary schedule...and recommend to the Town any action which it deems necessary to maintain fair and equitable wage and salary rates.”
- In addition, Section 3.10 of the bylaws reads– “the starting rate shall be the minimum of the rate for the position as classified...” this is not regularly enforced but is an exception to the rule. See the following:





EXCEPTIONS ARE THE NORM:

- Several employees have contracts that allow them to bypass how they are classified so that their salaries are competitive.
- Local Building Inspector, Board of Health Agent, Assistant Health Agent, Building Commissioner, HR Director, Building Custodian among others requested to start at higher level to attract good candidates.
- Each exception skews the internal inequities over time.



OTHER CONSIDERATIONS

- Mass Pay Equity Law:

- An employer that is defending against an action under the act and that has, within the previous three years and prior to the commencement of the legal claim, completed a self-evaluation of its pay practices in good faith and can demonstrate that it has made "reasonable progress" towards eliminating gender-based wage differentials can offer that as an affirmative defense to claims under the law. The self-evaluation may be of the employer's own design as long as it is reasonable in detail and scope given the size of the employer. (If the evaluation is not reasonable in detail and scope, it cannot be used as an affirmative defense to a claim, but it can still prevent the employer from being liable for liquidated damages, which are otherwise available under the law.) The self-evaluation defense is unique to Massachusetts and could be an excellent tool to protect companies in the event of litigation down the line.





OTHER CONSIDERATIONS/CONCERNS:

- The Finance Director recognizes the faults and issues related to the current Plan and supports the necessity of the study.
- He has assured that all appropriate funds for Covid are separate and would not hinder support or funding for the study.

OTHER CONSIDERATIONS/CONCERNS:

- From the January, 2019 minutes:
“Maureen Giffin pointed out that the majority of employees will be maxed out of the compensation pay scale in two years. S. Harrison said it could be the opportunity to change the pay scale. He would like to work on that over the next year or two as it will take time to review all of Article 2...it will be put on future agendas for review.”



OTHER CONSIDERATIONS/CONCERNS:

- To highlight HR's concern:
 - 25% of Article 2 employees at levels 2, 3 or 4 are maxed out
 - Another 38% will max out this year or next
 - An additional 19% will be maxed out one year later
 - Total of 82% maxing out in the near future





WHAT THEY'RE SAYING:

“Needs to be re-vamped; too much compression”

“Myriad of problems; illogical categories of employees; gaps don't make any sense”

“Pathetic; structure is inaccurate, company did a poor job last time; methodology suspect; outdated. Job classifications are inaccurate/outdated for our budget”

“**** Plan – took a long time and the steps make no sense”

“Contract employees treated differently, creating inequity. Also, mid-year adjustments to correct are an administrative nightmare.”

B COMPENSATION SCHEDULE – SALARIED POSITIONS

STEP	LEVELS:	I	II	III	IV	V				
1		52,844	63,082	19.374%	65,095	3.191%	74,550	14.525%	94,092	26.213%
2		56,053	66,911	19.371%	69,047	3.192%	79,077	14.526%	99,805	26.212%
3		59,261	70,741	19.372%	72,998	3.191%	83,602	14.526%	105,518	26.215%
4		62,471	74,571	19.369%	76,951	3.192%	88,130	14.527%	111,231	26.212%
5		65,678	78,401	19.372%	80,902	3.190%	92,656	14.529%	116,943	26.212%
6		68,886	82,232	19.374%	84,855	3.190%	97,181	14.526%	122,657	26.215%
7		72,095	86,061	19.372%	88,806	3.190%	101,708	14.528%	128,369	26.213%
8		75,304	89,891	19.371%	92,738	3.167%	106,234	14.553%	134,082	26.214%
			4.45%	4.43%	4.45%		4.45%		4.45%	

D COMPENSATION SCHEDULE – HOURLY RATED POSITIONS

STEP	LEVELS:		
	I	II	III
1	18.23	22.79	23.95
2	19.23	0.25014	0.0509
3	20.21	24.02	25.25
4	21.2	0.05397	0.05121
5	22.19	25.26	0.05428
6	23.18	0.05162	26.54
7	24.17	26.49	0.05067
8	25.14	0.04869	0.05109
		27.73	27.83
		0.04681	0.05059
		28.96	0.04861
		0.04436	29.12
		30.19	0.05013
		0.04247	0.04635
		31.43	30.41
		0.04107	0.05007
		0.2502	0.0443
		0.04132	31.7
			0.05002
			0.04242
			33.01
			0.05027



Compensation Structures Require Firm Foundations

SHRM's benefits & pay manager reviews blueprint for monetary rewards

By Stephen Miller, CEBS

June 24, 2014

ORLANDO, FLA.—An effective compensation system supports the organization's business strategy. It's externally competitive, legally compliant, compatible with the culture and appropriate for the workforce. Importantly, it's also perceived as fair, explained Bruce Elliott, manager of compensation and benefits at the Society for Human Resource Management (SHRM), who led the 2014 SHRM Annual Conference & Exposition's popular seminar on "Compensation Essentials" on June 22.

Elliott, whose past positions include senior director of global total rewards at Solera and director of compensation at Experian, provided a wide-ranging overview of pay basics—and beyond.

Start with Philosophy

Although any compensation structure involves a multitude of moving parts, everything begins with the pay philosophy—a formal statement that identifies how your organization views and manages pay, Elliott explained. It should be based on an awareness of your organization's mission, strategy and culture, workforce demographics, and external competitive considerations. One key point, for example, would be whether the organization intends to pay at, below or above market rates.

Generally developed by HR in collaboration with the executive team, start by:

- Stating the goal of the compensation program.
- Defining the competitive market position of the organization.
- Determining how the organization plans to pay and reward based on business conditions, competition and ability to pay.

Developing a pay structure with grades, range spreads and bands is a challenging process under the best of circumstances, but a sound philosophy provides the foundation on which everything else is built, Elliott noted.

Keeping Compliant

There are a myriad of pay laws at the federal level, and individual states—particularly California—often add their own layers of legislative complexity. To keep compliant with various statutes, Elliott advised periodically auditing plans for sex and age discrimination, for instance.

Among HR professionals, many still stumble over applying the Fair Labor Standards Act (FLSA), Elliott said.

"If they are new to the field, they may lack the confidence and credibility to push back against managers eager to avoid paying overtime" by misclassifying employees as exempt from the law.

Since employers bear the burden of proof in FLSA suits and the level of damages can be frighteningly high, HR must not only make its case but stand its ground, or put the organization at risk.

In particular, the administrative work exemption, in which an exempt worker's primary duty must include the exercise of discretion and independent judgment with respect to "matters of significance," is a tripping point for managers and, often, HR as well, Elliott warned.

"Walk managers through the exemption tests" for professional and administrative positions, he recommended, and counter popular misconceptions, such as the view that high compensation alone exempts an employee from overtime.

Communicate Effectively

The most misunderstood aspects of pay, Elliott observed, involve variable incentive plans and how they work.

"Employees 'get' salary and benefits, but not how their bonus works and how it is linked to performance. Communicating this is where most companies fall down."

Employees may also feel that they are owed a raise, frequently knocking on HR's door to ask, "Why isn't my pay higher?"

The best response is to "show a direct line of sight from the job description back to the market," Elliott advised. "You want to leave employees feeling they've been awarded in an equitable way."

If an employee is "red circled" at the top of their position's pay range, with limited or no base salary increases available, explain that's what happened. Incentive bonuses, equity grants (at public companies) and nonfinancial recognition might be appropriate, and employees can be encouraged to strive to move forward by taking part in professional development opportunities.

But Elliott advised against allowing ad hoc exceptions that increase base pay for a red circled employee but not others at the top of their pay range, as that could be seen as discriminatory and invite lawsuits.

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What is a compensation philosophy? What should be included in a compensation philosophy?

A compensation philosophy is simply a formal statement documenting the company's position about employee compensation. It explains the "why" behind employee pay and creates a framework for consistency. Employers use their compensation philosophy to attract, retain and motivate employees.

Compensation philosophies are typically developed by the human resources department in collaboration with the executive team. The philosophy is based on many factors, including the company's financial position, the size of the organization, the industry, business objectives, market salary information, the level of difficulty in finding qualified talent, and the unique circumstances of the business. The compensation philosophy should be reviewed periodically and updated based on current factors affecting the business. For example, market conditions may make it difficult to find qualified talent in a particular specialization, and an employer may need to pay a premium for these candidates. If the employer's current compensation philosophy does not support this value, then the organization may need to change its philosophy to meet its current needs.

A well-designed compensation philosophy supports the organization's strategic plan and initiatives, business goals, competitive outlook, operating objectives, and compensation and total reward strategies.

Most compensation philosophies seek to:

- Identify the organization's pay programs and total reward strategies.
- Identify how the pay programs and strategies support the organization's business strategy, competitive outlook, operating objectives and human capital needs.
- Attract people to join the organization.
- Motivate employees to perform at the best of their competencies, abilities and skill sets.
- Retain key talent and reward high-performing employees.
- Define the competitive market position of the organization in relation to base pay, variable compensation and benefits opportunities.
- Define how the organization plans to pay and reward competitively, based on business conditions, competition and ability to pay.
- Ensure equal pay for equal work, with allowable pay differences based on factors not prohibited by law.

An effective compensation philosophy should pass the following quality test:

- Is the overall program equitable?
- Is the overall program defensible and perceived by employees as fair?
- Is the overall program fiscally sensitive?
- Are the programs included in the compensation philosophy and policy legally compliant?
- Can the organization effectively communicate the philosophy, policy and overall programs to employees?
- Are the programs the organization offers fair, competitive and in line with the compensation philosophy and policies?

While HR is clearly in the lead in developing an organization's compensation philosophy and policy, success lies in collaboration with the leadership team to obtain valuable input, direction and buy-in.

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