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# **POLICY 1: COMMUNITY RELATIONS**

# RMLD POLICY NO. 1

## COMMUNICATIONS AND COMMUNITY ENGAGEMENT

Revision No. 6

Commission Vote Date: 2025-05-29

  
Greg Phipps (Jun 4, 2025 19:22 EDT)

2025-06-04

General Manager/Date

Next Review Date: 2028-05-29

### I. PURPOSE AND OBJECTIVES

- a) This policy sets guidelines for communications between the Reading Municipal Light Department (RMLD) and the communities it serves.
- b) Strengthen positive relationships between RMLD and its communities.
- c) Promote awareness and reputation with Commonwealth entities, such as legislators and regulators, and third parties, such as partners or vendors.
- d) Provide services and information that meet customers' needs, promote the safe and efficient use of electricity, and educate on emerging technologies.

### II. RESPONSIBILITIES

- a) General Manager
  1. Oversee the implementation and compliance of this policy.
- b) Marketing Manager
  1. Assist the General Manager in implementing this policy.
  2. Develop and update a communications plan aligned with RMLD's mission and vision.
  3. Execute communication activities across RMLD's service territory.

### III. CHARITABLE CONTRIBUTIONS AND GIFTS

- a) RMLD complies with the Department of Public Utilities (DPU) policy, which excludes charitable contributions from service costs unless clear evidence shows the contributions benefit ratepayers and are essential to serving them.
- b) Contributions to the towns served by RMLD are permitted under the terms of the 20-year agreement, special legislation, and DPU guidance.

### IV. ADVERTISING

- a) RMLD adheres to advertising regulations (G.L. c. 164, §33A) and related DPU guidelines. Advertisements will focus on RMLD services, programs, or the safe and efficient use of electricity.
- b) RMLD supports outreach campaigns emphasizing environmental sustainability and

# **RMLD POLICY NO. 1**

## **COMMUNICATIONS AND COMMUNITY ENGAGEMENT**

renewable energy efforts.

### **V. BUSINESS AND CIVIC ORGANIZATIONS**

- a) RMLD may join local civic organizations that support its mission to provide safe, reliable, low-cost, and sustainable electricity and related services. Memberships must receive approval from the General Manager.

### **VI. COMMUNITY RELATIONS PROGRAMS**

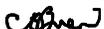
- a) RMLD will develop and implement various educational and informational programs targeted to members of the communities within RMLD's service territory, including but not limited to, customers, senior citizens, schools, libraries, youth organizations, professional organizations, civic associations, etc. RMLD can participate in community events to help raise awareness of RMLD's programs and promote safe and efficient use of electricity.

## **POLICY 2: SURPLUS**

# RMLD Policy No. 2

## SURPLUS MATERIAL

Revision No. 7



[coleen.obrien \(Feb 28, 2022 16:29 EST\)](#)

General Manager/Date

Commission Vote Date February 24, 2022

Next Review Date February 24, 2025

### I. PURPOSE

The purpose of this Policy No. 2 SURPLUS MATERIAL is to provide administrative controls and procedures to maximize the value of the disposal of surplus property. This policy does not apply to the disposal of real estate.

### II. DETERMINATION OF SURPLUS PROPERTY

Surplus property is personal property in the custody and control of RMLD that is either:

- (a) In excess of RMLD's needs due to changes in operations, personnel, or other circumstances;
- (b) Replaced by new or substitute property;
- (c) Damaged and non-repairable or uneconomic due to costs of repairs;
- (d) In poor or hazardous condition; or
- (e) Obsolete and no longer suits RMLD's needs.

Each RMLD department shall identify property that it deems to be surplus. The General Manager or his/her designee shall make the determination whether any such property constitutes surplus to RMLD's needs and shall be designated for disposal. Such determination shall be made in writing identifying the reasons for declaring the property surplus.

### III. ASSIGNING VALUE

Upon declaring property as surplus, the estimated value of the property shall be determined. RMLD will conduct a reasonable investigation utilizing the best available sources to locate similar supplies being offered for resale or salvage in order to develop an estimated fair market value ("FMV") of such property. To the extent available, the FMV will be determined based on a minimum of two (2) relevant and comparable industry sources. For consumer motor vehicles, FMV shall be estimated based on Kelley Blue Book, Edmunds, NADA Guides or any other nationally recognized service that values vehicles like those being disposed. For other property, including commercial or service vehicles not listed in Kelley Blue Book, Edmunds, NADA Guides or a similar source, FMV shall be

estimated based on quotes, trade-in offers, available sales data, appraisal or industry sources for similar property or vehicles, as may be adjusted for specific make and model, year, condition, and special equipment and features, and other factors deemed relevant. If FMV cannot reasonably be estimated for a particular property, then RMLD will estimate the value of such property based on its salvage value. Salvage value is the estimated residual value of an asset at the end of its useful life or the proceeds from the disposal of the asset when it can no longer be used in a productive manner. Net salvage value accounts for the costs of disposal to more accurately reflect the residual value of a depreciable asset.

The estimated value of the property, including the designation as scrap, and the sources consulted shall be documented and kept on file. The final determination of the property's estimated value shall be subject to review and approval by the General Manager or his/her designee.

#### **IV. CATEGORIZATION OF SURPLUS PROPERTY**

Once values are determined pursuant to Article III, property shall be categorized as follows:

- (1) Scrap - property which may or may not have a tangible resale or salvage value.
- (2) Substantial Value - property having a FMV of \$10,000 or greater;
- (3) Moderate Value - property having a FMV more than \$1,000 but less than \$10,000; and
- (4) Nominal Value - property having a FMV of \$1,000 or less.

#### **V. ELECTRIC UTILITY-SPECIFIC AND ELECTRIC UTILITY RATED COMMERCIAL VEHICLE PROPERTY**

RMLD will identify any property that it considers to be electric utility-specific. Electric utility-specific property is property that typically only an electric utility or a company or person in the electric utility trade is likely to have an interest in acquiring. For electric utility-specific and electric utility rated commercial vehicle property of Substantial Value, RMLD will determine whether an established market exists for purposes of disposal. An "established market" is one in which commodities are regularly sold in wholesale lots and prices are set by open competition as interpreted or as otherwise defined by the Massachusetts Inspector General or agency of the Commonwealth or a court having jurisdiction over the disposal of property by federal, state, and local governmental entities. A list of trade journals and other trade publications, online advertising sources and other industry or market resources for the advertisement and sale of electric utility-specific, including electric utility rated commercial vehicles, regardless of value shall be identified and documented. This list shall be reviewed and updated, as necessary.

## VI. DISPOSAL PROCEDURES.

- A. Scrap having tangible or resale value. Scrap having tangible or resale value shall be placed in the appropriate category based on the value of the property. If the surplus property will be sold separately as individual units, the property shall be categorized based on the value of each individual unit. For property to be sold as a set or collection, the property shall be categorized based on the estimated value of the set or collection. Items customarily sold as a set shall not be treated as individual units to evade or bypass applicable disposal procedures. However, RMLD, in its discretion may determine whether to dispose of property on an individual unit basis or as part of a set or collection to maximize revenue. In such instances, the reasons shall be documented and kept on file. The final decision whether to utilize a single solicitation or separate solicitations for multiple items shall be subject to the review and approval of the General Manager or his/her designee.
- B. Scrap having no tangible resale or salvage value. Scrap having no tangible resale or salvage value may be destroyed, recycled, or disposed of via an approved scrap bid or other method as determined by RMLD in its discretion based on the circumstances and costs of disposal. RMLD will endeavor to minimize the cost of disposal of scrap to the extent reasonably possible.
- C. Substantial Value. Property determined to have Substantial Value shall be disposed of in accordance with G.L. c. 30B procedures and any additional requirements and procedures set forth in this policy and/or as determined by the General Manager in his/her discretion. The General Manager shall have authority to impose additional requirements if he/she determines that it is in the best interests of RMLD to do so.

Where an established market exists for the property, RMLD may disposed the property through the established market or by trade-in if RMLD determines that it is in its best interests to do so. The reasons shall be documented, and the decision shall be subject to the approval of the General Manager or his/her designee.

For all other property, a competitive solicitation process will be used. RMLD will evaluate whether a written competitive bid process or auction, including an online auction (e.g., Municibid, GovDeals.com, or similar web-based listing), presents the most advantageous approach under the circumstances. The process, including all notices, shall conform to G.L. c. 30B requirements.

RMLD shall consider whether to impose a minimum bid reserve price or other terms and conditions of the sale. At a minimum, RMLD shall reserve the right to reject any and all bids if it is in RMLD's best interest to do so.

In addition to complying with G.L. c. 30B notice requirements, RMLD shall post a notice on its website for at least two weeks and advertise the solicitation in

appropriate print and online sources intended to reach potentially interested buyers. Electric utility rated commercial vehicles and electric utility-specific equipment shall be advertised in at least two sources identified on the list as set forth in Article V.

RMLD shall award the bid to the highest bidder who meets the requirements of the solicitation, unless RMLD determines that it is in its best interest to reject the bids. If RMLD rejects the bids, RMLD may solicit new bids or negotiate the sale at a higher price than the highest bid price as permitted by G.L. c. 30B.

All bidders, including participants in an auction, shall submit a non-collusion certificate as required by G.L. c. 30B.

The sources of advertising, the specific method of disposal, and the award process, shall be documented and subject to the approval of the General Manager or his/her designee.

- D. Moderate Value. Property of Moderate Value shall be sold through the best available means to obtain the highest price for RMLD. In determining the specific disposal and advertising methods to be used, the costs of disposal shall be weighed against the expected yield to RMLD. Among other options, as determined by RMLD under the circumstances, disposals may be made through a competitive bid or auction process to the highest bidder as provided in Article VI.C or sold for FMV or "best offer" after advertisement. When offering to sell surplus property to the general public, to the extent practical, RMLD shall advertise the sale in the local newspaper, on its website for at least two weeks and in appropriate print and online sources intended to reach potentially interested buyers. Commercial and electric utility-specific vehicles and equipment should be advertised in at least two sources identified on the list as set forth in Article V. RMLD also may negotiate the sale of the property or dispose of the property through less formal means after receiving three quotations or as RMLD deems appropriate under the circumstances. If RMLD solicits quotations, RMLD shall not be required to sell the property to the person providing the highest quotation, but the highest quotation shall be used as the benchmark for negotiating and approving the sale.

The purchaser of property having Moderate Value shall be required to sign and submit a non-collusion certificate.

The reasons and sources for the method of disposal and the award process shall be documented and subject to the approval of the General Manager or his/her designee.

- E. Nominal Value. Property of Nominal Value may be disposed of using sound business practices. The process and sale shall be documented and kept on file.

## **VII. ADDITIONAL TERMS AND REQUIREMENTS.**

- A. All property shall be sold or disposed of "as is" without any warranties of any kind.

- B. The purchaser shall release RMLD, in writing, from all liabilities concerning the property. The Purchaser must provide for removal, transportation, storage, etc. at no cost to the RMLD.
- C. The purchaser shall have the responsibility to provide for the removal, storage, and transportation of the property at its sole expense. The purchaser shall remove the property at a time and location designated by RMLD.

**VIII. PROHIBITION ON SALES TO EMPLOYEES, BOARD OF COMISSIONERMENBERS AND BOTH OF THEIR IMMEDIATE FAMILIES.**

Consistent with G.L. c. 268A, § 20, RMLD employees and RMLD Board of Commissioner members and their immediate families shall not be eligible to purchase or otherwise receive RMLD surplus property regardless of price or method of disposal used. This prohibition also applies to competitive solicitation processes.

**IX. ADMINISTRATIVE REVIEW AND REPORTING.**

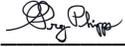
All disposals other than scrap material having no tangible resale or salvage value shall require the administrative review of the General Manager. The General Manager may require any additional reviews and approvals as the General Manager deems necessary, in his or her discretion. On a quarterly basis, the RMLD Board of Commissioners shall be provided with a report identifying the disposal of surplus having Substantial Value.

**POLICY 4: TOBACCO - SMOKING,  
VAPING, SPITTING**

**RMLD Policy No. 4**  
**Tobacco - Smoking, Vaping, Spitting**

Revision No. 8

Commission Vote Date: June 20, 2024



\_\_\_\_\_  
General Manager

Next Review Date: June 20, 2027

**I. PURPOSE**

- a) Adhere to state and local laws and regulations governing tobacco use and smoke-free workplaces. Clarify tobacco use restrictions at RMLD jobsites. Advise employees of their duties, the consequences of violations, and available assistance.
- b) This policy applies to all RMLD employees and visitors, contractors, and other persons under the presence, direction, or guidance of RMLD management.

**II. POLICY ELEMENTS**

- a) State and Local Vape/Smoke-Free Workplace Laws and Regulations  
This policy incorporates by reference all provisions of state and local laws and regulations, as may be amended from time to time, governing the use of tobacco and vaping in the workplace. Smoking of any kind is prohibited on any RMLD worksite.
- b) Tobacco Use and Smoking of any Kind Prohibited in The Workplace and on Jobsites  
In addition to the requirements imposed by state and local laws, RMLD prohibits the use of e-cigarettes, vaping, and any use of tobacco, and smoking of any kind at all jobsites, including all RMLD properties, in the workplace and outdoor areas where smoke and vapor can migrate into an enclosed workplace.

Such jobsites include, but are not limited to, the premises of RMLD customers, substations, construction sites, and public ways, rights-of-ways, or easement areas where RMLD's distribution and/or transmission equipment and facilities are located.

- c) Tobacco Use Prohibited in Vehicles  
Tobacco use and smoking is also prohibited in RMLD municipal vehicles. Refer to Policy 31: Vehicle Use.

Employees shall not smoke in their private vehicles during work hours if they are being used to transport other RMLD employees for job-related purposes.

- d) Violations  
Violations of state and local smoke-free workplace laws and regulations may result in the imposition of fines and penalties. Employees who violate this policy, including any state and local laws and regulations applicable to RMLD, may be subject to discipline, including termination of employment for knowing violations or repeated violations.

e) Employee Assistance

RMLD encourages and supports employees who wish to quit using tobacco products. RMLD urges smokers to contact their healthcare providers, health insurance plans, the Massachusetts Smokers' Helpline, or the RMLD MIIA Employee Assistance Program (800-451-1834) for free or low-cost support and options to quit smoking and other addictions. In addition, employees may visit <https://makesmokinghistory.org/> for more information.

RMLD will make reasonable efforts to accommodate requests to participate in smoking cessation programs or tobacco use counseling services that are only offered during the employee's work hours. Time-off requests shall be made in accordance with RMLD's procedures. RMLD reserves the right to deny time-off requests in accordance with its policies and practices. Employees may use available sick, personal, or vacation time for appointments with health care professionals and counselors for smoking cessation services. Proof of attendance is required when sick leave is used. Although RMLD generally supports employees who seek to quit tobacco use, the employee may not be entitled to protections under the Family and Medical Leave Act ("FMLA"), Americans with Disabilities Act ("ADA"), or similar laws.

## **POLICY 5: TRAINING & TRAVEL**

## **RMLD Policy No. 5 TRAINING & TRAVEL**

### **Revision No. 10**



General Manager

Commission Vote Date: 2023-06-15

Next Review Date: 2026-06-15

#### **I. Purpose**

This policy establishes overall administrative controls for: 1) authorizing RMLD business-related training and overnight/day travel, and 2) approving reporting of employee expenses. This policy does not govern travel expenses related to the provision of mutual aid.

- A. Only expenses determined as “reasonable” will be reimbursed.
- B. The Director of Finance & Accounting (or designee) will refer reimbursement requests in which expenses exceed Section I of the General Procedures to the General Manager for final approval.
- C. The Director of Finance & Accounting may meet directly with employees whose expenses exceed Section I General Procedures parameters to ascertain a reasonable and equitable reimbursement amount based on the circumstances.
- D. Should the Director of Finance & Accounting have questions on an employee’s expense report that have not been addressed to his/her satisfaction, he/she may then report those concerns to the General Manager in writing.

#### **II. Responsibilities**

- A. Director of Finance & Accounting
  - 1. Responsible for periodic review of this policy and attachments to ensure continuing compliance with RMLD’s requirements and applicable state and federal laws. Recommendations and suggestions for changes will be reported to the General Manager.
  - 2. Responsible for reviewing all expense account reports to ensure compliance with this policy.
  - 3. Responsible for making recommendations on reimbursement requests under this policy, subject to review and final approval by the General Manager.

4. Responsible for making reports of reimbursements to the General Manager as may be requested by the General Manager.

B. Supervisor of Employee Seeking Reimbursement

1. Determines the need and/or business justification for the employee's training and/or travel. The justification for the determination will be put in writing.

C. General Manager

1. Responsible for reviewing decisions made by the Director of Finance & Accounting regarding reimbursement requests. If the General Manager overrides a recommendation made by the Director of Finance & Accounting, the General Manager shall document the reason(s) in writing.
2. Responsible for making periodic reports to the RMLD Board of Commissioners upon the Board's request.
3. The General Manager shall report to the Board on events where authorized training and travel expenses exceed or are expected to exceed budgeted amounts.

D. Reading Municipal Light Board

Responsible for authorizing the General Manager's reimbursable travel, where an individual trip exceeds \$1,000.

**POLICY 6: DRUG & ALCOHOL-FREE  
WORKPLACE**

RMLD Policy No. 6

DRUG AND ALCOHOL FREE WORKPLACE

Revision No. 23



General Manager/Date

April 22, 2021

Commission Vote Date

April 2024

Next Review Date

**I. PURPOSE:**

The purpose of this policy is to provide a safe and healthful work environment for RMLD's employees, contractors, its customers and other members of the public by promoting a drug and alcohol-free workplace. The Anti-Drug Abuse Act of 1988 (the Drug Free Workplace Act) requires entities and persons to implement certain measures designed to reduce drug use in employment as a condition to receiving federal fund and grants. This policy is intended to comply with the requirements of the Drug Free Workplace Act regardless of whether RMLD is a recipient of federal funds.

**II. RESPONSIBILITIES:**

- A. General Manager. The General Manager is responsible for overall compliance with this policy and the hiring of outside consultants or investigative services to facilitate compliance and enforcement of this policy.
- B. Management Personnel. All RMLD managers and supervisors are responsible for monitoring RMLD employees under their direction or supervision for prohibited drug and alcohol use and for reporting any suspected violations to the General Manager and the Human Resources Manager, regardless of whether such employee is under their supervision, direction or control.
- C. Human Resources Manager. The Human Resources Manager shall be responsible for ensuring that all RMLD employees receive notice of this policy, job applicants receive notice of their duty to comply with this policy and to report convictions as required by this policy or the Drug Free Workplace Act, and for the overall administration of this policy, including coordinating any necessary referrals to the Employee Assistance Program ("EAP"), assisting with investigations, and enforcement and disciplinary actions, as appropriate.
- D. Procurement Officer. All employees in charge of the procurement of construction services shall ensure that the bid documents include a provision requiring compliance with the Drug-Free Workplace Act and any other applicable restrictions or requirements imposed by RMLD's policy.

### III. DEFINITIONS:

- A. For purposes of this policy, "workplace" refers to RMLD buildings and premises, RMLD vehicles, work sites, including customer sites and any other designated locations involving RMLD business or activities (e.g., governmental buildings, seminar and conference locations attended by RMLD officials and/or employees as part of their duties).
- B. The term "controlled substances" includes, but is not limited to heroin, barbiturates, amphetamines, phencyclidine, cannabis, methadone, LSD, PCP, marijuana, narcotics, opiates, cocaine, crack, alcohol or any other controlled substances as defined by the M.G.L. c. 94C or Federal Controlled Substance Laws. For purposes of this policy, controlled substances include medical marijuana.
- C. "The term "employee" includes all full-time, part-time, cooperative education, summer and limited duty employees of RMLD, both union and nonunion, and all consultants, contractors, RMLD officials, whether paid or unpaid.

### IV. PROHIBITED CONDUCT:

- A. Alcohol. No employee, at any time, shall use, possess, be under the influence of, sell, manufacture, distribute, store, or dispense alcohol at an RMLD workplace or as part of any RMLD-related function or RMLD-related activity.
- B. Controlled Substances. No employee may unlawfully manufacture, distribute, dispense, possess, be under the influence of, or use controlled substances at the workplace or in connection with any RMLD-related function or RMLD-related activity.
- C. Prescription Required. No employee may bring prescription drugs to the workplace unless they have been prescribed by a licensed physician specifically for the employee.
- D. Use of Certain Prescription Drugs. No employee may use prescription drugs while on duty that may impair the employee's work abilities while on duty without first obtaining a statement from the employee's prescribing physician that the use of such prescription drugs at the prescribed times will not impair the employee's work abilities.
- E. Use of Certain Non-Prescription Drugs. Employees are cautioned that certain non-prescription drugs (over-the-counter medication) may impair their work abilities while on duty. No employee may use non-prescription drugs while on duty that may impair the employee's work abilities while on duty without first obtaining a statement from the employee's prescribing physician that the use of such non-prescription drugs in accordance with their instructions or other medical direction will not impair the employee's work abilities.
- F. Medical Marijuana. Although effective January 1, 2013, Massachusetts state law permits the use of medical marijuana, RMLD considers medical marijuana a controlled substance for purposes of this policy. Further, to the extent permitted by law, RMLD will not make any accommodations to employees in possession of a medical marijuana registration card.
- G. Consequences for Violations. Any employee of RMLD who violates this policy shall be subject to discipline, including termination of employment. RMLD shall have the right to terminate services from any contractor, consultant or vendor providing services to RMLD for violations of this policy. Contractors may be subject to debarment. Nothing contained in this policy precludes RMLD from reporting any such violations to the proper authorities.

**V. PROCEDURES:**

- A. If any employee suspects another RMLD employee of violating this Policy #6, *Drug Free Workplace*, then he or she should contact the Human Resources Manager or his/her Supervisor either verbally or in writing. All such communications will be held in the strictest confidence.

**V. PROCEDURES:**

- A. The Human Resources Manager, with the assistance of the Supervisor, will promptly investigate the matter to determine if a violation has occurred. After obtaining the approval of the General Manager, the Human Resources Manager may retain outside professional assistance in order to conduct the investigation (*i.e.*, private investigator, attorney, police or other qualified professional). RMLD will be responsible for incurring all expenses related to retention of investigation services. The employee, however, is responsible for any expenses incurred in obtaining legal representation or other personal assistance for him/herself, as he or she deems appropriate. The RMLD will not require an accused employee to submit to drug testing as part of the investigation.
- B. The General Manager or the Human Resources Manager will notify the accused employee that an accusation has been made.
- C. Any employee accused of violating this Policy who retaliates against another RMLD employee for reporting alleged violations of this Policy will be subject to disciplinary action up to and including termination of employment.

An employee who is determined to have falsely and in bad faith accused another employee of violating this Policy will be subject to disciplinary action up to and including termination of employment.

- D. Convictions. An employee convicted of a violation of a criminal drug statute involving the workplace shall notify the Human Resources Manager and his/her immediate supervisor within five (5) calendar days of the conviction. Upon notice of such conviction, the employee shall be: (1) subject either to discipline, including termination, or (2) required to participate in a drug rehabilitation program, as appropriate considering the nature of the violation, the employee's position, and other relevant factors as determined by the General Manager. If the employee fails to provide the required notice, the employee shall be subject to disciplinary action, as determined by the RMLD General Manager.

**VI. ASSISTANCE AND REHABILITATION SERVICES:**

RMLD intends to provide its employees with a safe and productive working environment. Drug activity while on the RMLD's workplace threatens the entire community and will not be tolerated. RMLD offers its employees an Employee Assistance program (EAP) through MIIA Employee Assistance 1-800-451-1834. Any employee needing assistance with any type of substance abuse problems is encouraged to contact the EAP for assistance at no charge for the first three visits and then, if recommended, continue treatment under their existing medical insurance benefits. RMLD employees who are uninsured still qualify to receive at least three (3) visits under the EAP program and would receive advice on available services in order to begin or continue their rehabilitation or counseling.

**VII. EDUCATION FOR SUPERVISORS:**

RMLD's Human Resources Manager is responsible for ensuring that supervisor training is provided, on a periodic basis, in fundamental techniques to recognize behaviors that may suggest an employee who may be in possession of, manufacturing, dispensing, using, distributing controlled substances. The Human Resources Manager shall also be responsible

for follow-up training on a periodic basis. The Human Resources Manager will ensure that a qualified resource is available (*i.e.*, the EAP) to RMLD managers and supervisors for consultation, guidance and information with specific questions throughout the year on an "as needed" basis.

**VIII. SICK LEAVE PLAN:**

A union-member employee may use accumulated sick days under the provisions of the respective Article "Sick Leave and Emergency Leave" found in the CT, LMS and Professional unit contracts and Policy No. 26 for the purpose of enrolling in a formal drug/alcohol rehabilitation program. A non-union employee may also use accumulated sick days for the purpose of enrolling in a formal drug/alcohol rehabilitation program. The union-member and non-union employee may also concurrently use the provisions of RMLD Policy #20 entitled the "FMLA Leave Act", if the individual has enrolled in a formal drug/alcohol rehabilitation program. The employee must provide written evidence of participation in a "bona fide" program (as approved of by the Employee Assistance Program or other qualified, professional drug/alcohol rehabilitation service) on a periodic basis to the Human Resources Manager. At the discretion of the General Manager, the employee may request two weeks unpaid emergency leave to participate in a rehabilitation program approved by the EAP or other qualified drug/alcohol rehabilitation agency.

**IX. CONFIDENTIALITY:**

All written records and verbal reports will be handled through the Human Resources Manager who will retain any information pertinent to the case in a secured file and control access to any related information. In the absence of the Human Resources Manager, the General Manager will assume responsibility for confidentiality and document control. Verbal reports and discussion of these matters will be conducted in private with only involved parties in attendance. Nothing provided herein prohibits RMLD from disclosing such records or information as may be required by law, regulation, court or administrative order, or in connection with RMLD's legitimate business interests, such as in disciplinary proceedings, investigatory process, and/or to local, state, or federal authorities, to the extent not prohibited by law.

If you have any questions about Policy No. 6 or if you need assistance in contacting the EAP program, then please contact your supervisor or the Human Resources Manager.

# **POLICY 7: PAID SICK LEAVE**

**RMLD Policy No. 7**

**PAID SICK LEAVE**

**Revision No. 24**

March 18, 2021

Commission Vote Date



General Manager/Date

March 2024

Next Review Date

I. PURPOSE

This policy governs the establishment and administration of paid sick leave benefits for Reading Municipal Light Department (“RMLD”) employees.

II. RESPONSIBILITIES

A. General Manager

The General Manager shall be responsible for the overall implementation of this policy and the imposition of disciplinary or corrective action for the misuse or abuse of paid sick leave. The General Manager also shall be responsible for periodically reviewing this policy, applicable laws, and paid sick leave entitlements under collective bargaining agreements and making recommendations to the RMLD Board of Commissioners for changes to the policy and/or for union and non-union contract negotiations.

B. Department Managers

Department managers shall be responsible for documenting and reporting sick-related absences and reporting suspected violations or misuse of paid sick leave benefits to the Human Resources Manager for employees under their supervision.

C. Human Resources Manager

The Human Resources Manager shall be responsible for the overall administration and documentation of paid sick leave benefits, including tracking and verifying the entitlement and use of paid sick time, ensuring that complete and accurate records are maintained as required by M.G.L. c. 151, § 15, processing buyback requests, and preparing documentation and reports reflecting paid sick time accrual and usage as may be required by the applicable collective bargaining agreements or upon request by the General Manager.

### III. PAID SICK LEAVE AND BUYBACK BENEFITS

#### A. Union Employees

The terms and conditions for paid sick leave and buyback benefits shall be established by the employees' respective collective bargaining agreements.

#### B. Non-Union Management Employees

Full-time, permanent, non-union management employees shall be entitled to the same sick leave benefits set forth in the then-current IBEW collective bargaining contract, except as otherwise set forth in such employees' employment contract, as applicable. Part-time, non-union management employees who work at least 20 hours per week shall be entitled to benefits on a prorated basis as provided in RMLD Policy No. 21 – Non-Union Management Compensation and Benefits.

#### C. Temporary Employees and Other Non-Union Employees

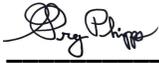
Temporary employees and other non-union employees shall not be entitled to paid sick time unless and to the extent required by applicable law.

## **POLICY 8: OPEB**

**POLICY NO. 8**  
**OTHER POST EMPLOYMENT BENEFITS (OPEB) LIABILITY TRUST FUND**

**Revision No. 3**

**Commission Vote Date:** 2025-01-29

 31/01/25

**General Manager/Date**

**Next Review Date:** 2028-01-29

**I. PREAMBLE**

The RMLD Board of Commissioners has established a separate fund, to be known as an Other Post Employment Benefits ("OPEB") Liability Trust Fund ("Fund. On September 19, 2019, the RMLD Board of Commissioners voted to reaccept G.L. 32B, § 20, as amended by St. 2016, c. 218, §238 and subsequently established a Declaration of Trust governing the management of RMLD's OPEB Fund and the duties of the Trustee.

**II. PURPOSE**

This policy, in conjunction with Policy 19, establishes the respective roles and duties of the RMLD Board of Commissioners and RMLD staff regarding the management and administration of the Fund, which have not been reserved exclusively for the Trustee under the Declaration of the Trust.

**III. RESPONSIBILITIES**

A. Treasurer of the Town of Reading

Consistent with the vote of the RMLD Board of Commissioners, the Treasurer of the Town of Reading ("Treasurer") shall serve as the custodian of the Fund as provided in M.G.L. c. 32B, § 20. The Treasurer also shall serve as the Trustee of the Fund until such time a new Trustee is designated by the RMLD Board of Commissioners in accordance with M.G.L. c. 32B, § 20 and the Declaration of the Trust, as may be amended from time to time. The Trustee shall be responsible for managing and administering the Fund in accordance with the terms of the Declaration of Trust and applicable law.

B. RMLD General Manager

1. The General Manager shall have the following responsibilities:
2. Serving as the liaison between the RMLD Board of Commissioners and the Trustee;
3. Updating the terms of the Declaration of the Trust in accordance with approved amendments;
4. Maintaining a copy of the Declaration of the Trust and any amendments, and any records relating thereto;
5. Hiring independent accounting and financial professionals as necessary or desirable to assist with the development and review of any investment policies, recommendations, or decisions, RMLD's review of financial and accounting statements and reports, and RMLD's review of the Trustee's or Fund's performance, and to provide assistance with powers or duties reserved to RMLD under M.G.L. c. 32B, § 20 and the Declaration of Trust;

6. Reviewing recommendations for managing and administering the Fund, including Fund investments, with the RMLD Board of Commissioners.
7. Consulting with the Trustee (or Treasurer if different) as provided under M.G.L. 32B, § 20;
8. Providing assistance, as needed, to comply with reporting requirements; and
9. Informing the RMLD Board of Commissioners of any investment changes or issues. The General Manager shall inform the RMLD Board of Commissioners at the next available Board meeting following any investment changes.

C. Director of Finance and Accounting

The Director of Finance and Accounting shall be responsible for monitoring transactions and reviewing expenses involving the Fund and assisting with the General Manager's duties, at the General Manager's request.

**IV. GENERAL GUIDELINES**

The funding schedule and future updates shall be designed to be consistent with the standards issued by the Governmental Accounting Standards Board or equivalent standards setting board. To the extent practicable, the funding schedule shall reduce the unfunded actuarial liability of other post-employment benefits to zero as of an actuarially acceptable date.

# **POLICY 9: PROCUREMENT**

**RMLD Policy No. 9  
PROCUREMENT**

**Revision No. 7**

Commission Vote/Effective Date July 21, 2022

Greg Phipps Jul 26, 2022  
Greg Phipps (Jul 26, 2022 07:43 EDT)

Interim General Manager/Date

July 21, 2025  
Next Review Date

**I. PURPOSE**

The purpose of this policy is to implement good business practices to ensure that RMLD's procurements are cost efficient, timely, meet the needs of RMLD, and comply with applicable laws.

**II. INTERNAL REVIEW AND APPROVAL**

- A. The General Manager, or his/her designee, shall approve all pricing and terms and conditions of all RMLD procurement contracts. RMLD may develop and use standard terms and conditions that have been preapproved by the General Manager.
- B. The RMLD Board of Commissioners shall be given the opportunity to review and comment on procurements having an estimated value in excess of \$50,000. Provided, however, if the General Manager determines that an urgency for the goods or services exists, then the RMLD may proceed with the procurement and the General Manager shall inform the Board of Commissioners of such procurement and the circumstances as soon as reasonably practicable. Change orders to existing projects having a value in excess of \$50,000 will be reported to the Board as soon as reasonably practical.

**III. PROCUREMENT PROCESS**

- A. RMLD shall follow the applicable statutory procurement process based on the nature of the procurement and estimated cost (e.g., G.L. c. 164, § 56D, G.L. c. 30, § 39M, G.L. c. 149, §§ 44A, *et seq.*
- B. For procurements involving general supplies or services that are not subject to a statutory procurement process, RMLD will follow the procedures in G.L. c. 30B, to the extent practicable. For the avoidance of doubt, the procurement of electric equipment, materials, and supplies, and power supplies shall not be subject to Chapter 30B procedures. If the procurement of the particular goods or services is subject to an exemption under G.L. c. 30B, RMLD shall use sound business practices to procure such goods or services regardless of their value. This policy shall not be construed as an acceptance of G.L. c. 30B, as set forth

in G.L. c. 30B, § 1(b)(14). The following Guidelines shall be used when prices are being solicited from a vendor:

1. Purchases under \$10,000.00 will be made using sound business practices.
2. Purchases between \$10,000.00 and \$50,000 shall be made either: (a) from a statewide contract or (b) by soliciting written quotations using a written purchase description from no fewer than three (3) persons who customarily provide the supply or service, or (c) cooperative contracts pursuant to G.L. c. 30B, § 22. The following information shall be recorded and retained by RMLD: the names and addresses of all persons from whom quotations were sought, the names of the persons submitting quotations and the date and amount of each quotation. The contract will be awarded to the responsible vendor who can provide the goods or services in a timely manner at the lowest cost.
3. Purchases estimated to exceed \$50,000 will be made from a statewide contract, a cooperative contract or after a formal, competitive sealed bid or proposal procedure or a reverse auction. For competitive solicitations or reverse auctions, RMLD will follow substantially the same procedures set forth in G.L. c. 30B, §§ 5, 6, or 6A, as applicable. The competitive solicitation procedures may be waived or modified by the General Manager depending on the circumstances. The procurement of goods also will be advertised in accordance with G.L. c. 164, § 56D.

# **POLICY 10: FRAUD**

# RMLD POLICY No. 10 FRAUD PREVENTION

Revision No. 0

Commission Vote Date: November 30, 2022



Dec 5, 2022

General Manager/Date

Next Review Date: November 30, 2025

## I. PURPOSE

- A. The RMLD is committed to protecting its revenue, property, proprietary information, other assets, and reputation. The RMLD will not tolerate any misuse or misappropriation of those assets.
- B. The RMLD Fraud Prevention Policy is established to provide guidance to employees when misuse or misappropriation of RMLD assets is suspected.
- C. It is RMLD's intent to fully investigate any suspected acts of "fraud", as it is defined in this Policy and/or by municipal law, in an impartial manner regardless of the suspected wrongdoer's length of service, position, title or relationship to the RMLD.
- D. Any act of fraud that is detected or suspected must be reported immediately and investigated in accordance with this Policy.
- E. The RMLD will make every reasonable effort, including court-ordered restitution, to recover or receive compensation from any appropriate source for assets lost by fraud.

## II. SCOPE

This policy applies to all RMLD employees, members of the Board of Commissioners, Administrators, Third Parties such as vendors, contractors, etc. or anyone entrusted or associated with RMLD properties.

## III. DEFINITION OF FRAUD

The Fraud Prevention Policy is applicable to any and all act (s) or omission (s) that constitutes fraudulent or suspected fraudulent activity that includes, but is not limited to, monetary items such as cash, funds, proprietary information, intellectual properties, material of value, content, data, assets, properties, consumables, office articles and supplies including stationery, deals, contracts, bribes, gifts, favors, influencing, undue prioritization, etc., for personal or professional advantage and/or gains either individually or collectively by its employees or associates of RMLD.

## IV. RELATED POLICIES

This policy which is designed to augment other policies and is not intended to replace

or preclude them. Should an overlap arise between the application of this policy and any other policy, the policy most specific to the situation will apply.

## **V. RESPONSIBILITIES**

- A. Managers: Members of RMLD management are responsible for establishing and maintaining a system of internal controls to ensure the detection and prevention of fraud, waste, abuse and other irregularities. Management should be reasonably familiar with the types of fraud that might occur within their area of responsibility and be alert for any indication of fraud.

Managers have the same responsibility with respect to reporting fraud as do all other employees of the RMLD as outlined below. Management will support and co-operate with the Investigator, Auditor, other involved divisions, and law enforcement agencies in the detection, reporting and investigation of all fraudulent acts, including the prosecution of offenders.

- B. Employees: Any employee of the RMLD who knows or has reason to believe that a fraud has occurred or is occurring, is responsible for immediately notifying his/her immediate manager. If the employee has reason to believe that the employee's immediate manager may be involved, the employee shall immediately notify the General Manager or if the General Manager is involved, shall immediately notify the In-House Counsel of the RMLD.

It is expected that employees will fully co-operate with management, the Auditor and other involved divisions and law enforcement agencies during the course of an investigation and will make all reasonable efforts to be available to assist the above noted persons with the investigation.

## **VI. INVESTIGATION RESPONSIBILITIES**

Subject to the nature of the suspected fraud, the appointment of an investigator will be the responsibility of RMLD, in consultation with management and the auditor as/if required, and the investigator will have primary responsibility for the investigation of all suspected fraud reporting to the General Manager or the Board of Commissions, whatever the case may be.

## **VII. CONFIDENTIALITY**

- A. The Investigator and all participants in a fraud investigation shall treat all information received confidentially. Investigation results will not be disclosed or discussed with anyone other than those who have a legitimate need to know. To the extent possible by law, the identity of individuals involved in an investigation including the identity of an individual alleging fraud and the identity of an individual alleged to have committed fraud will be protected.
- B. Any staff person or elected official contacted by the media with respect to a fraud investigation shall refer the media person to the General Manager. The alleged fraud or investigation shall not be discussed with the media by any

person other than the General Manager, in consultation with the investigator, auditor and/or RMLD legal counsel.

**VIII. WHISTLE-BLOWER PROTECTION**

Any employee reporting the suspicion of fraud will be protected to the full extent of the law.

**IX. DISCIPLINARY ACTION**

- A. The General Manager is solely responsible for discipline of employees in consultation with the RMLD Board of Commissioners. Employees who have committed fraud will be subject to disciplinary action up to and including dismissal.
  
- B. Where fraud is suspected of any RMLD employee or Commissioner, the individual will be given notice of the essential particulars of the allegations following the conclusion of the investigation prior to final disciplinary action. The individual against whom allegations are being made will be given opportunity to respond. This requirement is subject to any collective agreement provisions respecting the rights of employees in the disciplinary process.

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I have received and read  
Policy No. 10, Revision No. 0

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Date

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Please print your name

**POLICY 12: BOARD DOCUMENTS  
DISSEMINATION**

**RMLD Policy No.12**  
**RMLD BOARD OF COMMISSIONERS**  
**DOCUMENTS DISSEMINATION**

**Revision No. 4**

Commission Vote Date: May 23, 2024

 13/06/24

Next Review Date: May 23, 2027

General Manager/Date

**I PURPOSE AND APPLICABILITY**

- a) This policy governs the dissemination of Reading Municipal Light Department ("RMLD") Board documents prior to, during, and after Board meetings.
- b) This policy is necessary to ensure that documents submitted to the Board are not mistaken for Board-approved policy, procedures, or positions prior to consideration and adoption by the Board.
- c) For purposes of this policy, Board documents encompass written recommendations or proposals to the Board by the RMLD General Manager or designated staff, proposed budgets, other draft documents requiring or seeking the Board's approval, meeting agendas, meeting minutes, and other documents submitted to the Board for its consideration.

**II DISSEMINATION PRIOR TO BOARD MEETING**

- a) General Policy  
All documents submitted to the Board, whether such documents expressly requests or requires action by the RMLD Board or is submitted in support of such request, shall not be distributed to anyone other than a legally elected Board member, the General Manager or other applicable RMLD managers, employees, consultants or attorneys prior to a properly established Board meeting, unless such documents constitute public records as defined by M.G.L. c. 4, § 7 (clause twenty-six).
- b) Deliberative Process Exemption  
Documents exempt from disclosure under M.G.L. c. 4, § 7 (clause twenty-six) (d) - the "Deliberative Process Exemption" - shall not be distributed to anyone other the Board, RMLD staff or agents, until the Board takes action with respect to the policy matter under consideration or such deliberative process with respect to such matter otherwise has been concluded. Such documents include inter-agency and intra-agency memoranda and letters relating to policy positions being developed by the RMLD Board, such as draft policies, documents relating to pending or threatened litigation or contract negotiations, incomplete budgets or financial proposals, and other matters requiring Board approval. Reasonably completed factual studies or reports in which Board policy decisions may be based constitute public records and are subject to disclosure pursuant to a public records request.
- c) Identification of Draft Documents

To avoid giving the mistaken impression that a proposed policy, position, procedure or other document presented to the Board has been approved by the Board, all draft documents presented to the Board for review and consideration shall be marked "Draft" or with some other appropriate legend indicating that the document may not be in final form, even if such document constitutes a public record subject to disclosure prior to the Board meeting.

d) Agendas

The RMLD meeting agenda may be freely distributed prior to a Board meeting to any member of the public who requests a copy. Prior to the RMLD Board Chair's approval of the agenda, the agenda shall be marked "draft." The agenda once approved by the RMLD Board Chair will be posted to the RMLD's website for public viewing. The agenda may be amended as may be required by the Open Meeting Law. Any agenda that is amended after it is posted to the RMLD website shall be marked as "amended."

### **III DISTRIBUTION OR INSPECTION OF DOCUMENTS AT THE BOARD MEETING**

a) Documents Considered in Open Session

Unless otherwise exempt under the open meeting law, all documents considered by the Board in open session may be freely distributed to any member of the public who attends the Board meeting. In general, materials or other exhibits used by RMLD in an open meeting must also be made available to the public within 10 days of a request. The Board, in its discretion, may make such materials available to the public at the Board meeting.

b) Exemptions

There are two personnel-related exemptions to the open session records disclosure requirement: (1) materials (other than those that were created by the RMLD Board for the purpose of the evaluation) used in a performance evaluation of an individual bearing on their professional competence, and (2) materials (other than any resume submitted by an applicant, which is subject to disclosure) used in deliberations about employment or appointment of individuals, including applications and supporting materials. Documents created by members of the Board for the purpose of performing and evaluation are subject to disclosure. This requirement applies to both individual evaluations and evaluation compilations, provided the documents were created by members of the Board for the purpose of the evaluation.

c) Confidential and Other Non-Public Documents

Documents and materials considered in executive session, or other confidential or non-public documents submitted to the Board shall not be available for public inspection or dissemination at the Board meeting.

### **IV DISSEMINATION OF BOARD MINUTES AND DOCUMENTS FOLLOWING MEETINGS**

a) Release of Materials Submitted to the Board Following the Board Meeting

The disclosure of Board documents, , shall be governed by applicable public records and open meeting laws, which address materials for executive session meetings differently from open session meetings

## **POLICY 13: FACILITY AND PROPERTY USE**

## RMLD Policy No. 13 FACILITY & PROPERTY USE

Revision No. 8

Commission Vote Date: 4/17/2024



Next Review Date: 4/17/2027

\_\_\_\_\_  
General Manager

### I. PURPOSE AND ELIGIBILITY

This policy governs access to use of facilities and properties placed in the custody and control of the Reading Municipal Light Department ("RMLD"). The RMLD's facilities and outdoor properties are secure areas that are subject to higher security standards established by the North American Electric Reliability Corporation ("NERC"). As a result, RMLD facilities and outdoor properties are available only for RMLD purposes, unless approved as an exemption.

### II. EXCEPTIONS

Any town department, town board, or town committee within RMLD's service territory that wishes to use RMLD facilities or outdoor properties shall contact RMLD to request permission to use RMLD facilities or outdoor properties. Support costs, such as facility and IT personnel, will be charged to the visitors, as appropriate.

### III. RMLD PROPERTY, FACILITIES AND BUILDINGS REQUIREMENTS AND RESTRICTIONS

a) Drugs and Alcohol Beverages Prohibited

Illegal drugs, medical and recreational marijuana, and alcoholic beverages of any kind are strictly prohibited.

b) Smoking Prohibited

Smoking, vaping, and tobacco use are prohibited.

c) Additional Restrictions

RMLD may impose additional restrictions, at any time, as it deems necessary for safety, system reliability, and the protection of its properties, its employees, or the public or as otherwise in the public interest.

## **POLICY 14: USE OF VOLUNTARY SICK BANKS**

# RMLD Policy No. 14

## USE OF VOLUNTARY SICK BANKS

Revision No. 3

Commission Vote Date February 24, 2022



coleen obrien (Feb 28, 2022 16:18 EST)

General Manager/Date

February 24, 2025

Next Review Date

### I. **PURPOSE**

This policy allows the General Manager to implement and administer a voluntary sick bank program for Reading Municipal Light Department ("RMLD") employees requiring medical leave due to their own serious medical illness.

### II. **ELIGIBILITY**

Any full-time or part-time RMLD employee may request additional paid leave through the implementation of a voluntary sick bank. To be eligible, the employee: (1) shall be in good standing, (2) shall establish that he/she has a serious health condition as defined by Family and Medical Leave Act ("FMLA"), and (3) the employee is not eligible for or has not accrued sufficient benefits to cover the full duration of the anticipated leave.

### III. **PROCEDURES AND REQUIREMENTS**

- A. Employee Request. The employee (or a family member on the employee's behalf) shall be responsible for contacting the General Manager to request the implementation of a voluntary sick bank to receive additional paid time donated by co-workers. The General Manager may request any information or documentation regarding the employee's eligibility to support the request for additional paid leave. Unless waived by the employee, all information and documentation regarding the employee's medical illness shall remain confidential to the extent permitted by law.
- B. Exhaustion of Employee Benefits. The employee shall be required to exhaust all accrued benefits under then-current RMLD policies and collective bargaining agreements and apply for workers' compensation or disability benefits, as applicable.

- C. General Manager's Approval. After review of the specific circumstances, the General Manager, in his/her sole discretion, may initiate the establishment of a sick bank in an effort to provide the employee with additional paid leave to cover gaps in eligible benefits. The Reading Municipal Light Board's approval shall not be required.
- D. Process for Soliciting Contributions. The General Manager (or his/her designee) may solicit donations of paid time from RMLD employees by circulating a request form. Accrued sick leave, personal leave, compensation time, and vacation time may be contributed. The employee shall indicate the amount and type of time that the employee is willing to donate and shall return the signed form to the Human Resources Director.
- E. Sick Bank Program Requirements and Conditions. The following requirements and/or conditions shall apply:
1. Contributions shall be voluntary. No employee shall be coerced or pressured into donating paid time and no employee shall be harassed, penalized, or retaliated against for refusing to donate paid time
  2. All contributions shall be kept confidential by RMLD so as to avoid negative consequences or embarrassment of employees who chose not to contribute.
  3. The employee shall not be entitled to paid leave in excess of demonstrated need. Provided however, the sick bank program may include retention of up to five (5) days of donated leave to be used by the employee for purposes consistent with this policy within 30 calendar days after the employee's return to work. If such time is not used by the employee, the excess amount will be credited back to all contributing participants on a pro rata basis.
  4. RMLD shall keep accurate records documenting deductions of benefits from contributing employees' leave entitlements and crediting such leave to the benefitting employee. In crediting paid leave, RMLD may make adjustments to the amount of time provided based on salary differences between the receiving employee and contributing employee.

## **POLICY 15: SEXUAL HARASSMENT**

**RMLD Policy No. 15  
SEXUAL HARASSMENT**

**Revision No. 4**

 Sep 21, 2022  
Interim General Manager/Date

September 15, 2022  
Commission Vote Date  
  
September 15, 2025  
Next Review Date

**I. PURPOSE**

It is the goal of the Reading Municipal Light Department (“RMLD”) to promote a workplace that is free from sexual harassment in which all employees are treated with dignity and respect. Sexual harassment of employees occurring in the workplace or in other settings relating to employment is unlawful and will not be tolerated by RMLD. In addition, any retaliation against an individual for reporting sexual harassment or cooperating with an investigation of a sexual harassment complaint is unlawful and will not be tolerated.

Accordingly, this policy seeks to prevent and redress incidents of sexual harassment, as defined herein. Because RMLD takes allegations of sexual harassment seriously, RMLD will respond promptly to complaints of sexual harassment and when RMLD determines that such harassment has occurred, RMLD will act promptly to address and eradicate such inappropriate conduct and impose such corrective or disciplinary action as necessary or warranted under the circumstances. While this policy sets forth RMLD’s goals of promoting a workplace that is free of sexual harassment, this policy is not designed or intended to limit RMLD’s authority to discipline or take remedial action for workplace conduct which RMLD deems unacceptable, regardless of whether that conduct satisfies the definition of sexual harassment.

**II. DEFINITION OF SEXUAL HARASSMENT**

In Massachusetts, “sexual harassment” means sexual advances, requests for sexual favors, and verbal or physical conduct of a sexual nature when:

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

The term “sexual harassment” is broadly defined and includes any sexually-oriented conduct, whether it is intended or not, that is unwelcome and has the effect of creating a workplace environment that is hostile, offensive, intimidating or humiliating to male or female workers. In addition, sexual harassment includes direct or implied requests by a supervisor for sexual favors in exchange for actual or promised job benefits, such as favorable reviews, salary increases, promotions, or continued employment. Sexual harassment encompasses prohibited conduct committed by co-workers, supervisors, managers, and RMLD officials, as well as sexually harassing conduct committed third parties, such as contractors, vendors performing services for RMLD, any appointed and elected officials associated with RMLD, and other any other person engaging in sexually intimidating, hostile, or humiliating conduct against an employee when RMLD is aware of such sexually harassing conduct. While it is not possible for the RMLD to list all of the circumstances that would be considered sexual harassment, the following are some examples:

- Unwelcome sexual advances, whether they involve physical touching or not;
- Requests for sexual favors in exchange for actual or promised job benefits such as favorable reviews, salary increases, promotions, increased benefits, or continued employment;
- Assault or coerced sexual acts;
- Use of sexual epithets, jokes, written or oral references to sexual conduct, gossip regarding one's sex life, comments on an individual's body, comments about an individual's sexual activity deficiencies or prowess;
- Displaying sexually suggestive objects, pictures, cartoons;
- Unwelcome leering, whistling, brushing against the body, sexual gestures, suggestive or insulting comments;
- Inquiries into one's sexual experience; and
- Discussion of one's sexual activities.

### III. RETALIATION

#### A. Protection from Retaliation

RMLD prohibits retaliation against any person for making a good faith complaint of sexual harassment, for assisting in making a complaint, for resisting or openly opposing such conduct, or for otherwise using or participating in the complaint investigation process under the policy. Persons who file, or participate in the investigation or resolution of, claims or complaints of sexual harassment and retaliation with outside agencies, law enforcement or otherwise pursuant to any applicable state or federal law, are also protected from retaliation by this policy.

B. Prohibited Retaliation

Prohibited retaliation includes but is not limited to: threats; intimidation; reprisals; continued harassment or misconduct; other forms of harassment; slander and libel; and adverse actions related to employment. Retaliation, even in the absence of proven sexual harassment in an underlying complaint, constitutes a violation of this policy that is just as serious as the main offense itself.

IV. RESPONSIBILITIES

A. Human Resources Director

The Human Resources Director shall serve as RMLD's Sexual Harassment Officer. The Human Resources Director shall be responsible for processing and investigating complaints involving RMLD employees, notifying and advising the General Manager with respect to reported incidents of sexual harassment, and providing other assistance with the implementation of this policy as directed by the General Manager. The Human Resources Director also shall be available to discuss concerns and provide information to employees relating to this policy.

B. General Manager

Except for complaints or allegations involving the General Manager, the General Manager shall be responsible for taking appropriate corrective and/or disciplinary action. The General Manager shall have the authority to impose disciplinary action against RMLD employees for violations, including termination from employment, and to take actions to redress violations. In the event that the allegations involve non-employees such as contractors, vendors, appointed or elected officials, the General Manager shall be responsible for taking corrective action, as deemed appropriate by the General Manager in his/her discretion and as provided in this policy.

C. RMLD Board of Commissioners

For complaints or allegations involving the General Manager, the Chair of the Board of Commissioners shall be notified. The RMLD Board of Commissioners may direct the Human Resources Director to hire an outside consultant to conduct the investigation. Any investigation will be conducted in accordance with Section V. C. in this policy, except the Chair of the Board of Commissioners or his/her designee shall be consulted regarding the findings of the investigation and next steps. Any disciplinary or remedial action taken against the General Manager shall require the approval of a majority of the Board of Commissioners. Complainants and witnesses shall not be entitled to address the Board of Commissioners.

D. RMLD Management

All supervisory or managerial employees who have received a complaint of sexual harassment, suspect that violations of this policy may have occurred, or believe that he or she has witnessed sexual harassment in violation of this policy, shall have a duty to report such incident(s) to the Human Resources Director. Failure to report suspected violations of this policy to the Human Resources Director shall be grounds for disciplinary action.

V. INTERNAL PROCEDURES

A. Complaint Procedures

Any employee who believes that he or she has been subject to sexual harassment or retaliation for reporting sexual harassment or participating in an investigation has a right to file a complaint with RMLD. Incidents should be reported to the employee's supervisor, Division Manager or to the Human Resources Director either orally or in writing. If the employee does not feel comfortable reporting the incident to his or her direct supervisor, Division Director or the Human Resources Director, the employee may report the incident(s) to any supervisory or management employee. Any employee who believes that he or she has witnessed incidents of sexual harassment or otherwise believes that violations of this policy have occurred, is encouraged to notify a supervisor, manager, or the Human Resources Director .

B. Internal Notifications

All complaints and reports of suspected violations shall be reported immediately to the Human Resources Director. If the Human Resources Director is unavailable, the General Manager shall be notified. The Human Resources Director shall be responsible for notifying the General Manager of all suspected violations.

C. Investigation

All allegations of sexual harassment and retaliation will be investigated in a fair and expeditious manner. The Human Resources Director shall commence the investigation within five (5) business days of becoming aware of the alleged violation. In general, investigations shall be conducted as follows:

1. All investigations shall be conducted in a respectful and non-accusatory manner;
2. RMLD may employ outside consultants to assist in the investigatory process;
3. To the extent practicable, investigations shall be conducted in confidence,

respectful of the right to privacy of both the employee alleging sexual harassment and the employee accused of sexual harassment;

4. The Human Resources Director shall conduct private interviews with the complainant, any witnesses, and the alleged perpetrator(s). The Human Resources Director shall maintain written records;
5. Following the investigation, the Human Resources Director shall consult with the General Manager regarding the findings of the investigation and next steps;
6. Interim measures, as appropriate, may be taken to protect the employee from further harassment and/or retaliation;
7. To the extent appropriate under the circumstances, the Human Resources Director will notify the complainant and the alleged perpetrator of the findings when the investigation is complete.

D. Remedial and Disciplinary Action

1. If, after an investigation, it is determined that conduct has occurred in violation of this policy, RMLD will take appropriate action to eliminate the offending conduct and redress the violations. Among other things, RMLD may require employees to undergo sexual harassment training.
2. Any employee who has engaged in conduct in violation of this policy, shall be subject to discipline. Depending on the circumstances and severity of the violation, discipline may include, but is not limited to, informal or formal reprimands, written or verbal warnings, suspension, and termination.
3. When the allegation of sexual harassment involves a vendor or contractor providing services to RMLD, the General Manager or his/her designee will report the alleged incident to company. RMLD may request that the company provide a suitable replacement for the worker engaged in the incident, terminate business relations, take legal action, or take any other action that the General Manager deems appropriate under the circumstances for the protection of its employees.
4. When the allegation of sexual harassment involves a Board Commissioner of the RMLD, the General Manager will notify the Chair of the Board of Commissioners. In the event that the complaint is against the Chair of the Board, the Vice Chair or Secretary will be notified. Allegations of sexual harassment involving one or more members of the Board of Commissioners shall be investigated pursuant to the terms of this policy.
5. If a complaint is filed against an appointed individual, such as a Citizens'

Advisory Board (“CAB”) member, the General Manager will notify the Town Manager or appropriate town official in charge of such individual. The General Manager shall request that the elected or appointed official remove him/herself from all committees until the investigation is completed and a determination has been made. Allegations of sexual harassment involving one or more members of the CAB shall be investigated pursuant to the terms of this policy.

6. If a complaint is filed against one or more Board Commissioners or CAB members then the Board of Commissioners or the CAB, as appropriate, may meet for the purpose of deciding whether to vote the individual(s) subject to the complaint(s) off of any committee(s) that such individual(s) may serve on.

## VI. OUTSIDE ASSISTANCE

### A. Private Counseling

If you believe you were the victim of sexual harassment, in addition to the right to file a complaint, you may also seek advice from our EAP, AllOne Health (800) 451-1834, or equivalent subcontractor, contracted by RMLD, at no charge to you. The EAP is available to discuss any concerns you may have and to provide information to you about the RMLD’s policy on sexual harassment and the complaint process. If you desire, the EAP professional will work with you to find a way to resolve your concerns in an informal manner acceptable to you and in a manner which would offer you as much privacy and confidentiality as is possible.

Discussions with the private counselor do not constitute filing a formal complaint with RMLD. To ensure that your claim is investigated, the employee shall report the alleged conduct to RMLD as provided in this policy.

### B. State and Federal Remedies

In addition to the above, if you believe you have been the subject of sexual harassment, you may file a formal complaint with either or both of the government agencies set forth below, after filing a complaint with RMLD as described in this Policy. Using RMLD’s internal complaint process does not prohibit employees from filing a complaint with these agencies. Employees should be aware that formal complaints generally must be filed within 300 days of the incident.

1. The United States Equal Employment Opportunity Commission (EEOC)  
JFK Federal Building  
475 Government Center  
Boston, MA 02203  
(617) 565-3200

2. The Massachusetts Commission Against Discrimination (MCAD)  
Ashburton Place, Room 601  
Boston, MA 02108  
(617) 994-6000

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I have received and read Policy No. 15,  
Rev. No. 4 and have received training on  
this topic.

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Date

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Please print your name

## **POLICY 16: VIOLENCE IN THE WORKPLACE**

**RMLD Policy No. 16  
VIOLENCE PREVENTION IN THE WORKPLACE**

**Revision No. 3**

 Sep 21, 2022  
Interim General Manager/Date

September 15, 2022

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Commission Vote Date

September 15, 2025

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Next Review Date

**I. PURPOSE**

It is the goal of the Reading Municipal Light Department (“RMLD”) to promote a safe workplace for its employees, public officials, customers, vendors, consultants, subcontractors and visitors, which is free from acts of intimidation, threats of violence and actual violence. To this end, RMLD has established this zero-tolerance policy for workplace violence and other conduct that threatens the wellbeing of anyone at the workplace. For purposes of this policy, “zero tolerance” means that no threatening or violent behavior is acceptable, and no violent incident will be ignored. While not every incident of workplace violence can be prevented or predicted, the purpose of this policy is to implement measures to minimize the potential for violent or threatening behavior and to provide a course of action in the event that a violent or threatening incident occurs at the workplace. Because not every situation can be anticipated or planned for within a written policy, the General Manager may adjust this policy’s procedures and protocols or take whatever action that he/she deems is warranted under the specific circumstances to the extent permitted by law and consistent with a policy of zero tolerance.

**II. DEFINITIONS**

For purposes of this policy, the following definitions shall apply:

**A. Threat**

A “Threat” is any verbal or physical conduct that threatens property or personal safety or that reasonably could be interpreted as intending to cause harm. RMLD will employ both an objectively reasonable and subjectively reasonable standard in determining whether conduct arises to the level of a Threat taking into account all relevant facts and circumstances.

**B. Violence**

The term “Violence” encompasses any actions or words that endanger or harm another employee or result in other employees having a reasonable belief that they are in danger. Violence includes any act or Threat of physical violence,

harassment, intimidation, or other threatening or disruptive behavior at the Workplace that causes others to feel unsafe. Violence may range from Threats and verbal abuse to physical assaults. Examples of Violence include shoving, pushing, stalking, coercion, vandalism, brandishing Weapons, bullying or aggressive behavior, disorderly conduct, such as punching walls, making obscene phone calls, and Threats or talk of Violence.

C. Weapon

A “Weapon” is defined as any firearm, including realistic-looking fake firearms and replicas, items that are designed or used to intentionally inflict bodily harm, and/or any items which are inappropriate in the employee’s Workplace and which are used to cause fear of Violence or used in connection with Threats. Weapons include, but are not limited to, handguns, hunting rifles, knives and swords, and explosive devices. Weapons do not include tools and utensils when properly stored or used in connection with the employee’s duties or tasks, but may constitute Weapons if they are used to cause fear of harm.

D. Workplace

The “Workplace” is defined as any RMLD sites, vehicles, buildings, parking lots, and job locations.

III. PROHIBITED CONDUCT

A. Threats and Acts of Violence

No employee shall threaten or commit acts of Violence at the Workplace, whether directed towards other employees, customers, vendors, consultants, or other third parties.

B. Aiding and Abetting

No employee shall knowingly assist in the commission of an act of Violence or otherwise encourage or incite acts of Violence in violation of this policy. No employee intentionally shall obstruct any investigation conducted by RMLD or law enforcement authorities into actions alleged to have violated this policy.

C. Use of RMLD Equipment and Facilities to Facilitate Threats or Acts of Violence

RMLD assets, such as voicemail, e-mail, computer systems, fax machines, vehicles, tools, and utensils shall not be used for Violence or any threatening purposes.

D. Weapons in the Workplace

No employee shall possess any firearms, explosive devices, knives (other than tools or utensils) at the Workplace or otherwise while on duty, nor shall any employee transport or cause to be transported any such Weapons in RMLD vehicles at any time or in any employee-owned vehicles while on duty.

E. Retaliation

No employee shall retaliate against or harass any employee for reporting conduct that the employee believes constitutes a violation of this policy or behavior that could be interpreted as a red flag or indicator of the employee's propensity for violence.

F. Conduct by Third Parties

RMLD also will not tolerate Threats or acts of Violence committed by public officials, customers, vendors, contractors, visitors or other third parties. RMLD may take action as deemed appropriate under the circumstances, such as contacting authorities or discontinuing services or business relations with the offending party.

G. Consequences for Violations

Any employee who engages in prohibited conduct in violation of this policy shall be subject to discipline, including termination. RMLD also may report such conduct to the proper authorities.

IV. PRE-EMPLOYMENT SCREENING

A. Screening for Red Flags

Pre-employment screening is an important element in promoting a safe workplace by identifying and screening out potentially violent coworkers before hiring. In an effort to identify potentially violent candidates, RMLD strives to solicit appropriate information, through employment application inquiries, interviews, and background and reference checks that raises red flags for potentially violent or threatening behavior. Red flags may include:

- A history of drug or alcohol use at the Workplace;
- Past conflicts (especially if violence was involved) with coworkers;
- Past convictions for violent crimes;
- A defensive or hostile attitude;
- A tendency for the job applicant to blame others for problems.

If red flags are identified, further inquiry may be warranted before making an offer of employment. Considerations include the nature, extent, and severity of the conduct, when such conduct occurred, and the relevance of such prior conduct to the duties or responsibilities of the position.

B. Legal Constraints

Specific screening practices and hiring decisions will need to be consistent with privacy protections and state and federal antidiscrimination laws. RMLD may need to obtain appropriate waivers from applicants to check criminal records and references from current and past supervisors and coworkers. The interplay of laws protecting employee rights and RMLD's goal of promoting a safe workplace also may involve complex legal issues relating to permissible pre-employment inquiries and employment decisions, particularly involving a candidate's criminal history and drug and alcohol use. RMLD may want to consult guidance documents published by federal and state agencies or with legal when a past criminal activity or drug or alcohol use is suspected. The following information is provided for general guidance purposes:

1. Criminal History

It is illegal for RMLD to ask certain questions about a job applicant's (or even an employee's) criminal record.

Moreover, the ability of RMLD to obtain access to criminal record information by the Massachusetts Criminal History Systems Board under the Criminal Record Information Act (CORI) is limited to that which is necessary to perform the relevant criminal justice or statutory duties. Criminal history information available from private sources also may be limited. Thus, it will be important for RMLD to assess an applicant's suitability for the position or propensity for Workplace violence based on appropriate inquiries relating to the employee's past work experience, such as the employee's attitude in the Workplace, the ability to get along well with others, or history of threatening, bullying, or harassing behavior.

2. Drug and Alcohol Use

A job applicant's past and current drug and alcohol use also raises complex issues under antidiscrimination laws. RMLD may not discriminate against applicants based on a disability, such as alcohol use outside of the job or past illegal drug use. However, RMLD may hire the best qualified person for the job and may take the applicant's demeanor into account or work history, such as terminations from

employment based on drug or alcohol use in the Workplace. RMLD also will subject prospective employees to drug and alcohol testing consistent with Policy # 26 or when otherwise required by law.

## V. PREVENTIVE MEASURES

### A. Inspections

Employees acknowledge that desks, telephones, computers, and certain vehicles are the property of RMLD and that employees shall have no expectation of privacy with respect to such RMLD property even though such property may be used primarily, if not exclusively by a particular employee. Employees also acknowledge that RMLD's fax, copier and mail systems including e-mail, are for RMLD business purposes only. RMLD reserves the right to enter or inspect employee offices and work areas and RMLD-owned vehicles for any reason, including, but not limited to, desks and computer storage devices, message systems or other property of RMLD, with or without notice. Employees acknowledge and consent to RMLD's search of employee lockers, lunch boxes, briefcases, personal bags, personal toolboxes or tool kits at the Workplace and personal vehicles parked on RMLD premises for Weapons, when reasonable suspicion or cause exists to believe such property may contain Weapons in violation of this policy. If dangerous Weapons are found (e.g., firearms, explosive devices), RMLD will surrender the Weapons to local authorities for safe handling. In lieu of conducting an inspection, RMLD may require the employee to remove such personal belongings from the Workplace.

### B. Reporting Concerning Behavior/Threat Indicators

No "profile" or litmus test exists to indicate whether an employee might become violent. Instead, employers and employees should remain alert to problematic behavior that, in combination with other information, could point to possible Violence. no one behavior in and of itself suggests a greater potential for violence, but all facts and circumstances must be reviewed in their totality. In an effort to identify and address potential problems before escalating into violent behavior, employees are encouraged to report to their supervisors, Division Managers, the General Manager or Human Resources Director behavior that raises red flags of a potential for Violence. Indicators include, but are not limited to:

- Increasing belligerence;
- Ominous, specific threats;
- Hypersensitivity to criticism;
- Recent acquisition of/fascination with Weapons;

- Apparent obsession with a supervisor or coworker or employee grievance;
- Preoccupation with violent themes;
- Interest in recently publicized violent events;
- Outbursts of anger;
- Extreme disorganization;
- Noticeable changes in behavior;
- Homicidal/suicidal comments or threats; and
- Drug or alcohol use at the Workplace or being under the influence of drugs or alcohol while on duty.

Employees should not hesitate to report any conduct or behavior that they believe presents a risk of danger or may lead dangerous activities in the Workplace. All reports and discussions will be kept confidential, including the identity of the employee reporting such behavior. Depending on the situation, some of the following actions may be taken:

- Discussing concerns among appropriate RMLD personnel, including the employee's immediate supervisor and Division Manager, for input and guidance;
- Meeting with the employee to discuss work-related concerns, pressures, grievances, or other issues that may be affecting the employee's performance or job satisfaction;
- Assisting the employee with arranging for counseling services, such as through the EAP;
- Monitoring behavior for signs of escalation or intensity;
- Conducting inspections for Weapons, as appropriate under the circumstances;
- Soliciting the services of professionals to assess the situation and make recommendations for a course of action;
- Imposing discipline for unprofessional conduct or conduct in violation of RMLD policies, such as insubordination, angry outbursts or yelling; and

- Contacting emergency medical providers or local law enforcement authorities, as appropriate.

While it is RMLD's goal to promote a safe Workplace, it is understood that RMLD cannot necessarily prevent acts of Violence from occurring even if suspicious behavior has been reported or observed.

C. Training

RMLD may require managers and supervisors to undergo formal or informal training to recognize potentially Violent Workplace situations, learn techniques to diffuse escalating situations, and to implement security procedures to improve the safety of employees during Violent situations. RMLD employees are not expected to perform law enforcement roles. Rather, the purpose of any training activities is to better prepare managers and supervisors for dealing with volatile situations or violent incidents as they occur.

D. Security

RMLD will employ reasonable security measures for the protection of employees from unwanted visitors or trespassers. Employees should take precautions to ensure personal safety when leaving buildings or walking to vehicles, particularly after normal work hours. The floor plan and physical layout of RMLD buildings, lighting, and implementation of security measures should be reviewed by the Facilities Manager and discussed with the General Manager and/or any other RMLD personnel or consultants as directed by the General Manager. Modifications may be made to improve employee safety, to the extent reasonable. Considerations should include:

- Visibility;
- Adequacy of lighting in parking areas;
- Alarm signals or emergency phones;
- Control of access;
- Arrangement of work spaces to prevent employees from becoming trapped in a small enclosure;
- Whether escape routes are adequate and clearly marked

A plan for emergency evacuation should be designed and practiced with employees. The evacuation plan should include procedures for getting workers out of the building, as well as for assembling in a safe area in order to determine who is safe and who may still be missing.

## VI. INCIDENT REPORTING AND PROCEDURES

### A. Incidents Involving Coworkers

#### 1. Reporting Violence

If you believe you were the victim of threatening or violent behavior or have witnessed such behavior in the Workplace, you are encouraged to report the incident to your supervisor, the General Manager, Human Resources Director or any RMLD manager. If you believe you were a victim of a crime or a crime has occurred against a coworker, you also may contact law enforcement authorities.

#### 2. EAP Assistance

You also may seek advice from our EAP, AllOne Health (800) 451-1834 at no charge to you. The EAP is available to discuss any concerns you may have and to provide information to you about the RMLD's policy on Violence in the Workplace and the complaint process.

#### 3. Investigations

All reports will be taken seriously and will be investigated by the RMLD. RMLD may seek assistance from outside threat assessment professionals and other specialists to assist with the investigation and developing an appropriate strategy and course of action.

#### 4. Confidentiality

RMLD will not reveal your identity or personal information, except to RMLD managers, supervisors and consultants, law enforcement officials, as applicable, who are on a need-to-know basis in order to conduct the investigation and address the problem. RMLD will not reveal your identity or any identifying information to the alleged perpetrator without your written consent.

### B. Incidents Involving Third Parties

#### 1. Incidents at Job Sites

Any employee who is subject to an act of Violence or perceives a Threat at a work site should get to a safe area. The employee shall call his/her supervisor or Division Manager and report the incident as soon as practicable for further instructions. If the employee feels that his safety or

the safety of others is in immediate danger, the employee should not hesitate to call local law enforcement authorities. No employee will be disciplined for leaving a work site if the employee reasonably believes that his/her safety or the safety of others is in danger.

2. Incidents at RMLD's Office

If a customer, vendor or other third party treats employee in an abusive or hostile manner, the employee should seek the assistance of a supervisor or manager to deal with the situation. The employee should not act in a manner so as to escalate the situation, such as engaging in an argument. If, after speaking to a supervisor or manager, the person continues to act in a hostile manner or poses a risk of danger, the person should be asked to leave and warned that local authorities will be contacted. Local authorities should be contacted immediately if the person commits any act of physical Violence, or the employee believes that his/her safety or the safety of others at the Workplace is in imminent danger.

VII. OUTREACH AND ASSISTANCE

A. Employee Input

If you have suggestions for ways to improve the safety and security of the RMLD, please pass them along to the General Manager, the Human Resources Director or your direct supervisor.

B. Counseling and Assistance

In the event of a major workplace incident that affects, or has the potential to affect, the mental health of the employees, the RMLD will provide initial counseling and support service to you and your immediate family through the EAP program.

C. Communications

As the crisis passes and support systems are put into place for employees affected by the incident, RMLD will make every effort to return to normal business operations. A reasonable effort will be made to notify employees, customers, the Board of Commissioners and others who need to know the status of the RMLD's business operations directly whenever possible. In cases where direct contact is not possible or practical, an effort will be made to communicate through the news media and other available resources.

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I have received and read Policy No. 16,  
Revision No. 3

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Date

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Please print your name

**POLICY 17: TUITION REIMBURSEMENT**

# RMLD POLICY NO. 17

## TUITION REIMBURSEMENT

Revision No. 5

Commission Vote Date: 2025-04-16

  
2025-05-07  
Greg Phipps (May 7, 2025 20:54 EDT)

General Manager/Date

Next Review Date: 2028-04-16

### I. PURPOSE AND OBJECTIVES

- a) It is the goal of the Reading Municipal Light Department ("RMLD") Board of Commissioners to encourage RMLD employees to develop and enrich their professional knowledge and abilities through approved coursework and degree programs in order to help meet the needs of RMLD and fulfill RMLD's mission and goals.
- b) RMLD's tuition reimbursement policy and procedure are designed to help employees further their knowledge, skills, and job effectiveness through higher education in fields of interest to RMLD.

### II. RESPONSIBILITIES

- a) General Manager
  1. Approve tuition reimbursement
  2. Oversee the implementation and compliance of this policy.
- b) Director of Human Resources.
  1. Process requests, administer tuition reimbursement benefits
  2. Verify that the educational institution has obtained appropriate accreditation.

### III. ELIGIBILITY REQUIREMENTS

- a) Eligible Educational Programs
  1. Employees are required to be enrolled in an accredited college or university. The accreditation must be granted by an agency recognized by the United States Department of Education or by any state or federal authority deemed acceptable by RMLD.
  2. Employees generally must be matriculated. Matriculation means being accepted to and enrolled in a college or university as a candidate for a degree. The General Manager may waive this requirement for specialized areas of study or in special circumstances.
  3. The educational program and/or coursework must relate to the employee's position or RMLD business as determined by the General

## **RMLD POLICY NO. 17 TUITION REIMBURSEMENT**

Manager or designee.

b) Eligible Employees

1. All full-time RMLD employees and management are eligible for tuition reimbursement following successful completion of any probationary period. Part-time employees may be considered for tuition reimbursement, subject to the review and approval of the General Manager. Cooperative work education students, student interns, summer employees, contract employees, temporary employees, and contractors or similar positions are not eligible for tuition reimbursement.
2. Employees must be in good standing. If an employee has been placed on disciplinary or investigatory leave, paid or unpaid, for any length of time, the employee shall not be entitled to reimbursement for any courses taken during the academic period in which the leave occurred.
3. Employees may receive reimbursement for courses taken during an approved leave of absence provided that the employee returns to work following such leave of absence.

## **POLICY 18: STRATEGIC PLANNING**

**RMLD Policy No. 18  
STRATEGIC PLANNING POLICY**

**Revision No. 5**

Commission Vote Date: 2023-09-28



Oct 3, 2023

General Manager/Date

Next Review Date: 2026-09-28

**I. PURPOSE AND SCOPE**

To establish procedures for developing, reviewing, implementing, and revising RMLD's Strategic Plan.

The Strategic Plan shall include a mission statement (who we are), a vision statement (where we are going), and strategies (how to get there and milestones) to reinforce RMLD's longstanding responsibilities to its customers, and shall respond pro-actively to changing regulatory, market, and environmental conditions.

The time horizon of this strategic plan shall typically focus on the next two decades.

**II. POLICY DETAILS**

RMLD will comprehensively update its Strategic Plan at least every five years and will present the results of the comprehensive review to the Board of Commissioners and annually provide a progress update against the strategic plan.

**POLICY 19: BOARD OF COMMISSIONERS**

**RMLD Policy No. 19**  
**BOARD OF COMMISSIONERS**

**Revision No. 16**

 13/06/24

General Manager/Date

Commission Vote Date: 2024-05-23

Next Review Date: 2027-05-23

**I. PURPOSE**

- a) To establish procedures and the respective roles and duties of members of the RMLD Board of Commissioners (“Board”).
- b) To establish administrative controls for certain Board activities.

**II. GOVERNING LAWS**

- a) The role of the Board in the operation and management of RMLD shall be governed by M.G.L. c. 164 and other applicable state statutes and regulations. Specific Board responsibilities are outlined in Attachment A.
- b) The conduct of meetings of the Board shall conform to M.G.L. c. 30A, §§ 18-25 - the Massachusetts Open Meetings Law. Meeting procedures and details can be found in Attachment B.
- c) Members of the Board shall act in accordance with G.L. c. 268A “Conduct of Public Officials and Employees.”, G.L. c. 4 § 7 (26) “Public Records”, and any and all other applicable federal and state statutes and regulations.

**III. BOARD MEMBER POSITIONS AND DUTIES**

a) Membership and Quorum

The Board shall consist of five (5) members elected for three (3) year terms.

A majority of at least three (3) members of the Board shall constitute a quorum for doing business. Unless otherwise specified herein, or applicable law, all actions and approvals require a majority vote of a quorum of the Board.

b) Officer Designation

The Board shall designate a Chair and Vice Chair with each having a maximum term of one (1) year unless a special restructuring of the Board is needed. The designations shall be made prior to the expiration of their terms, by a majority vote of the Board.

A Secretary shall be appointed by the Chair from time to time as expedient and convenient for the Board.

c) Board Chair

The Chair serves as the presiding officer of the Board.

The Chair is responsible for scheduling regular meetings and calling special and/or emergency

meetings, as needed.

The Chair presides over Board meetings, approves meeting agendas and recognizes all speakers, including other Board members.

The Chair is responsible for determining whether a topic is appropriate for discussion in executive session meetings and shall make all announcements as required in Attachment B if an executive session meeting is convened.

The Chair is responsible for nominating Board members to represent the Board at appropriate functions, events, and outside meetings. Final appointment is by a majority vote of the Board.

The Chair is responsible for nominating Board members to Board Committees. Final appointment is by a majority vote of the Board.

The Chair may waive any procedures or formalities that are not required by law to facilitate the conduct of Board's business at his/her discretion.

d) Board Vice Chair

The Vice Chair serves as the presiding officer in the Chair's absence, followed by the most senior member of the Board.

e) Board Secretary

The Secretary is responsible for performing certain administrative functions on behalf of the Board.

The Secretary is responsible for reviewing draft Board minutes for accuracy, completeness, and compliance with Open Meeting Laws.

The Secretary certifies, as required by law, votes of the Board.

#### **IV. BOARD CONDUCT**

In executing its responsibilities to the RMLD, the Board and its members shall:

- a) Serve the best interests of all RMLD's multi-town service territory customers.
- b) Operate in accordance with the spirit, as well as the letter, of all laws affecting RMLD's business and its employees.
- c) Act with the highest level of integrity, business ethics, and objectivity, in all matters involving or pertaining to the RMLD.
- d) Not misuse the authority or influence of his/her Board member position.
- e) Affirmatively and courteously respond to requests for public information, subject to the constraints of Policy 12, Board Document Dissemination, and the Massachusetts Public Records Law. All requests and responses will be arranged through the General Manager.
- f) Not contribute, in any form, to civic, charitable, benevolent, or other similar organizations as a

representative of the RMLD Board or on behalf of the RMLD.

- g) Set policies to support RMLD's then current mission statement and as otherwise deemed necessary or expedient by the Board in accordance with applicable law.

**V. BOARD COMMITTEES**

Board committees serve as a mechanism to assist the Board with reviewing and considering specific issues.

The Board may establish committees to assist the Board from time to time. Committees may recommend a course of action to the Board. The listing of current Board Committees and duties are found on Attachment C of this policy.

**VI. RELATIONSHIP OF BOARD AND GENERAL MANAGER AUTHORITY**

Under the direction and control of the Board, as set forth in M.G.L. c. 164 and interpretive caselaw, the General Manager has the authority and responsibility for the day-to-day operation and management of the RMLD.

**VII. INSURANCE AND INDEMNIFICATION**

The General Manager or designee shall cause the RMLD to procure public officials liability insurance to provide liability coverage for the errors and omissions of Board members arising from their role as members of the Board as set forth in such insurance policy.

The RMLD and each Board Member shall enter into an indemnity agreement that indemnifies each Board Member against certain costs and on such terms that are agreed upon by the RMLD and the Board from time to time.

The Board may request that the General Manager report on the details of public officials' liability insurance for review and comment.

*Appendix A, B, C attached.*

**BOARD RESPONSIBILITIES AND REPORTING  
ATTACHMENT A**

**I. EMPLOYMENT OF THE GENERAL MANAGER**

- a) Appoints the General Manager and establishes his/her compensation, benefits, and terms and conditions of employment.
- b) Prior to the start of each Agreement Year (as defined in the General Manager’s employment agreement, or at any other time as agreed to by the General Manager), the Board will meet with the General Manager to cooperatively develop goals and tasks (“Performance Review Criteria”) to be undertaken and completed by the General Manager during that Agreement Year or such other period of time as agreed to by the General Manager.

The General Manager and the Board shall review and approve such Criteria within thirty days of development by General Manager and RMLD Board.

Following the completion of each Agreement Year the Board will provide the General Manager with an annual performance review. At that time, an assessment of the General Manager’s performance, including achievement of goals set forth in the Performance Review Criteria will be conducted.

- c) Authorizes the General Manager’s reimbursable travel for trips that exceed \$1K.

**II. BOARD POLICIES**

- a) Approves overall goals, objectives, and policies governing RMLD to be implemented and discharged by the General Manager within the constraints of M.G.L. c. 164 and other applicable statutes and regulations.
- b) Reviews all policies under a 3-year review cycle. Policies may be reviewed at any time upon the Board of Commissioners’ request, at the recommendation of the General Manager, and in response to internal procedure or federal/state legislation changes.

**III. PERSONNEL AND UNION MATTERS**

- a) Approves all collective bargaining agreements.
- b) Supports a good working relationship between RMLD management and its unions.
- c) Directs all employee issues, matters, and concerns to the General Manager.
- d) May supplement non-union management employee benefits subject to a majority vote in accordance with Policy 21. (*Policy 21*)

**IV. FINANCE & ACCOUNTING**

- a) Approves the annual capital and operating budgets after allowing a 30-day review period for CAB input, as provided for in the Twenty-Year Agreement.
- b) Receives quarterly reports concerning variance on the operating budget.
- c) May direct the General Manager to give an update on outside services expenditures, which could include

legal, engineering, audit, lobbying, and other consulting services.

If any legal issues are being or have been considered in an executive session meeting, then the explanation of that legal issue will be given in an executive session meeting, unless the subject matter for the executive session meeting no longer meets the requirements for holding an executive session meeting.

- d) Appoints one Board member to serve on the Town of Reading Audit Committee. Reappointment of this position will be done annually and coincide with the Board restructuring, which occurs at the first meeting after the annual Town of Reading election.
- e) The Board member on the Town of Reading's Audit Committee will ensure that the selected auditing firm is qualified to perform a financial audit of a municipal electric utility.
- f) Accepts the audited financial statements and management letter.
- g) May require the General Manager to submit a written action report on any item commented on by the auditor's Management Letter.
- h) Reviews and approves the payroll and weekly accounts payable warrants in conjunction with the General Manager.
- i) Approves significant Expansion or Retirement of the RMLD's Transmission, Distribution, General Plant, or Generation.

**V. OPEB**

The Board established a separate ("OPEB") Liability Trust Fund and subsequently established a Declaration of Trust governing the management of RMLD's OPEB Fund and the duties of the Trustee.

- a) Performs the functions relative to the RMLD Other Post-Employment Benefits Liability Fund Trust as set forth in Policy No. 8 – Other Post-Employment Benefits ("OPEB") Liability Trust Fund.
- b) Develops and updates policies governing the investment of the OPEB Fund as permitted under the Declaration of Trust and applicable law.
- c) Designates a Trustee of OPEB Fund as permitted by M.G.L.c. 32B, § 20 and the Declaration of Trust (*Policy 8*)
- d) Approves a funding schedule and makes appropriations to the Fund consistent with applicable laws and accounting standards
- e) Appropriates OPEB funds to pay RMLD's share of health insurance benefits.
- f) Approves financial statements and reports as may be required by M.G.L. c. 32B, § 20 and statements of account provided by the Trustee.
- g) Approves and executes necessary documents and forms to authorize and effectuate the investment of the Fund.
- h) Takes all other actions consistent with the role and duties of the Board under M.G.L. c. 164 and M.G.L. c. 32B,

§ 20 and the Declaration of the Trust to supervise, manage, and/or administer the Fund.

**VI. POWER SUPPLY, & RATES**

- a) Approves long-term power supply contracts and agreements, unless otherwise voted through a strategic risk mitigation plan, e.g., (“TFA”) and approves annual certificate retirement targets.
- b) Approves electric rates, which are based on cost-of-service principles.

**VII. COMMUNICATIONS**

- a) Approves the final annual report of the RMLD in segments: previously accepted Audit, report highlights from General Manager evaluation, report art/cover selected by Board/staff.
- b) Approves all correspondence written on behalf of the Board and/or otherwise attributable to the Board.
- c) Approves all presentations made by or on behalf of the Board to other elected boards or committees

**VIII. FUNCTIONS, MEETINGS, CONFERENCES & TRAINING**

- a) Attends meetings, conferences, training sessions and similar functions as appropriate for enhancing skills and functions pertaining to being a member of the Board.
- b) Attends functions sponsored by the Town of Reading, the Commonwealth of Massachusetts for elected officials, the American Public Power Association, and New England Public Power Association, all of which are presumed to be appropriate for Board member attendance.
- c) Any Board member attending meetings, conferences, training sessions and similar functions as appropriate for enhancing skills and functions pertaining to being a member of the Board are required to make a full report at the next available Board meeting.
- d) It is the policy of the Board that no Board member will have a personal or economic interest or benefit, directly or indirectly, from attendance in meetings, conferences, training sessions and similar functions. It is the responsibility of each Board member to make a full public disclosure of any personal interest or benefit in advance and shall otherwise comply with any restrictions imposed by G.L. c. 268A.

**IX. INFORMATION TECHNOLOGY**

- a) Uses RMLD information systems in compliance with Policy 27 and Open Meeting Law.
- b) Complies with RMLD IT security policies and/or operating procedures.

**X. MISCELLANEOUS**

Considers other issues that may come before the Board that are within its jurisdiction.

**BOARD MEETING AND DOCUMENT PROCEDURES  
ATTACHMENT B**

**I. MEETING SCHEDULE AND TIME RESTRICTIONS**

Regular Board meetings generally will be held once a month or as otherwise needed. Board meetings will not hear new topic discussions after 10:45 PM and meetings will be adjourned no later than 11:15 PM.

**II. MEETING CONDUCT**

- a) All meetings shall be conducted in open session in accordance with M.G.L. c. 30A, § 20, unless the particular matter to be discussed involves an appropriate topic for the executive session.
- b) The Board may follow Robert's Rules of Order and or any rules of order as established and determined by the Board from time to time.
- c) Public Comment may be allowed in accordance with the Board's Public Comment Policy.

**III. BOARD DELIBERATION**

- a) No quorum of the Board may engage in any deliberations or otherwise discuss substantive matters involving Board business outside of a duly noticed meeting session in accordance with the Open Meeting Law.
- b) Restrictions on deliberations include serial communications, which means any oral or written communication through any medium, including electronic mail, between, among, or received by a quorum of the Board on any public business within RMLD's jurisdiction.
- c) To the extent permitted by law, the General Manager, who is not a member of a public body and who is not subject to the Open Meeting Law, may provide oral or written communications, including email, to a quorum of the members of the Board, subject to the limitations in paragraph d) below.
- d) The Board shall not deliberate on such communications outside of a public meeting. Deliberations include the expression of an opinion on matters within the Board's jurisdiction to a quorum of the Board, even if no other Board member responds.

**IV. BOARD DOCUMENTS DISSEMINATION**

The dissemination of Board Documents shall be in accordance with and subject to Policy 12.

**V. EXECUTIVE SESSION**

a) Procedures

The following procedures shall apply to executive session meetings:

- 1. The Board must first convene in an open session.
- 2. The Board shall vote to go into executive session and the vote of each member shall be recorded by roll call and entered into the minutes.
- 3. Before the Executive Session, the Chair shall state the purpose for the executive session, and all subjects that may be discussed without compromising the purpose for which the executive session was called. Additional notification requirements may apply to specific executive session topics as

set forth in M.G.L. c. 30A, § 21.

4. The Chair shall publicly announce in open session, whether the open session will reconvene at the conclusion the executive session.
5. In the case of remote participation in an executive session meeting, no person may be present, or in communication with the participating Board member during such meeting.

The participating Board member shall not allow any person to hear or see such meeting whether present or otherwise and no Board member may record such meeting.

Each Board member shall state on the record as such.

6. Additional procedures may apply to specific executive session topics as set forth in M.G.L. c. 30A, § 21.
7. All executive session meetings shall comply with any additional requirements or procedures set forth in M.G.L. c. 30A, § 21.

b) Executive Session Records

Executive session records shall be kept in accordance with statutory requirements.

Audio and/or visual recordings of executive session meetings shall not be taken.

c) Availability and Confidentiality Obligations

Executive session minutes of Board meetings and related documents are available to all members of the Board and designated RMLD staff. All Board members and RMLD employees shall be bound to maintain their confidentiality until such minutes and/or related materials are released for disclosure as provided herein.

d) Legal Requirements

Executive session minutes will be reviewed and released in accordance with the Open Meeting Law, M.G.L. c. 30A, § 22 and the public records and open meeting exemptions in M.G.L. c. 164, § 47D and as provided herein.

e) Executive Session Quarterly Review

1. The Chair and the Secretary of the Board will review approved executive session minutes in their entirety and related materials that are still in confidential status on a minimum of a quarterly basis (no later each January 15, April 15, July 15, October 15) and in response to a public records request for such minutes to determine if continued non-disclosure is warranted under M.G.L. c. 30A, § 22.
2. In conducting the review, the Chair and the Secretary shall consider whether:
  - a. the executive session was held in compliance with M.G.L. c. 30A, § 21;
  - b. publication of the minutes or materials would defeat the lawful purposes of the executive session;
  - c. the minutes or materials include information protected by the attorney-client privilege;

- d. the information or materials are subject to one or more of the exemptions under the public records law, M.G.L. c. 4, § 7 (clause twenty-sixth) or M.G.L. c. 164, § 47D;
  - e. the RMLD Board has voted not to disclose such information (to the extent that executive session was held to consider RMLD's competitively sensitive information which was entitled to confidentiality under M.G.L. c. 164, § 47D); and
  - f. the minutes or materials are entitled to confidentiality as personnel information as set forth in M.G.L. c. 30A, § 22(e).
3. The Chair and the Secretary shall announce the findings of their quarterly review at the next Board meeting following the completion of such review. Such announcement shall be included in the minutes of that meeting.

The Chair and the Secretary shall make a recommendation to the members of the Board to release for publication those minutes or portions of minutes and related materials in which continued confidential treatment is not warranted under M.G.L. c. 30A, § 22. The procedure and timeframe for conducting and voting on reviews in response to a request for executive session minutes are set forth herein.

4. Executive session minutes, or portions thereof, will be released only by an affirmative majority vote of at least three (3) members of the Board.
- f) Procedures upon Request for Executive Session Minutes or Materials

All requests for unreleased executive session minutes will be forwarded to the Chair of the Board immediately following receipt and shall be placed on the next available Board meeting agenda for resolution. If the minutes have not been previously subject to a quarterly review, the Chair and the Secretary shall review the minutes as provided herein prior to the next Board meeting, if possible. The Chair and the Secretary shall present the findings on whether continued confidentiality is warranted to the Board and the Board shall take a vote on whether to release the minutes or portions thereof at its next regularly scheduled meeting following the request or within 30 days, whichever occurs first. Notwithstanding the foregoing, upon request by any person to inspect or copy the minutes of an executive session or any portion thereof, the Chair or his/her designee, on behalf of the Board, shall respond to the request within 10 days following receipt and shall release any such non-exempt minutes or portions thereof in which the Board previously voted to release.

**RMLD BOARD COMMITTEES  
ATTACHMENT C**

<p>Audit Committee (Including Town of Reading Audit)</p> <p>Annual activity</p>	<p>The Board will appoint one Board member and one back-up to serve on the Town of Reading Audit Committee. Reappointment of this position will be done annually and coincide with the Board restructuring, which occurs at the first meeting after the annual Tow of Reading election.</p> <p>The Board member on the Town of Reading's Audit Committee will ensure that the selected auditing firm is qualified to perform a financial audit of a municipal electric utility.</p> <p>The Board accepts the audited financial statements and management letter and shall require the General Manager to submit a written action report on any item commented on by the auditor's Management Letter.</p>
<p>RMLD sub-audit committee</p> <p>Annual activity</p>	<p>The appointed Audit Committee Board member and appointed back-up constitute the RMLD sub-audit committee.</p>
<p>Account Payables</p> <p>Bi-weekly activity /monthly assignment</p>	<p>Remotely via computer reviews and approves payables on a bi- weekly basis. This position is rotational monthly. Backup is required if primary is not available.</p>
<p>Payroll</p> <p>Bi-weekly activity / monthly assignment</p>	<p>Remotely via computer reviews and approves payables on a bi- weekly basis. This position is rotational monthly. Backup is required if primary is not available.</p>
<p>GM Search Committee</p> <p>As needed</p>	<p>Conducts GM search process, reviews resumes and interviews candidates. Makes recommendations to the Board for finalists.</p>
<p>Advisory Joint Committee Payment to the Town of Reading</p> <p>As needed</p>	<p>Advise the Board concerning the voluntary payment to the Town of Reading from RMLD's unappropriated surplus funds, consistent with RMLD's legal obligations.</p> <p>Two RMLD Board Members</p> <p>Two Citizen's Advisory Board Members</p> <p>One Reading Board of Selectmen Member</p>

## **POLICY 20: FAMILY AND MEDICAL LEAVE**

**RMLD Policy No. 20  
FAMILY AND MEDICAL LEAVE**

**Revision No. 4**

**Commission Vote Date: November 30, 2022**



Dec 5, 2022

**General Manager/Date**

**Next Review Date: November 30, 2025**

**I. PURPOSE**

- A. This policy sets forth the rights of union and non-union employees to take leaves of absence under certain state and federal laws for family, medical, and military purposes and establishes procedures for implementing those rights. This policy covers leaves of absence and/or time off for family or medical reasons under the Family and Medical Leave Act ("FMLA"), the Massachusetts Small Necessities Leave Act, M.G.L. c. 149, § 520 ("SNLA"), and the Parental Leave Act ("PLA;"), M.G.L. c. 149, §105D. Leaves of absence for military purposes and for victims of domestic violence pursuant to M.G.L. c. 149, § 52E are governed by separate policies. Employees also may be entitled to leave in additional circumstances pursuant to other laws or agreements. To the extent that a conflict exists between the terms of this policy and the terms of an applicable collective bargaining agreement, the terms of the collective bargaining agreement will apply, unless such terms are not permitted or inconsistent with applicable law.
- B. This policy will be interpreted and implemented in accordance with prevailing laws and regulations, FMLA and MA law.
- C. This policy includes the following unpaid leave categories:
  - 1. Medical Leave (Self)
  - 2. Family Leave (Family)
  - 3. Small Necessities Leave (Children & Elderly)
  - 4. Parental Leave (Birth, Adoption, Care of Disabled Child)

**II. LEGAL DEFINITIONS**

A. Parent

"Parent" means the biological, adoptive, step, or foster parent of an employee who stood in loco parentis to the employee when the employee was a minor. In loco parentis refers to the type of relationship in which a person has put

themselves in the situation of a parent by assuming and discharging the obligations of a parent to a child. "Parent" does not include the employee's parents-in-law.

B. Son or Daughter

Unless otherwise defined herein, "son" or "daughter" means a biological, adopted, or foster child, a stepchild, a legal ward, or a child of a person standing in loco parentis who is either: (a) under 18 years of age or (b) is 18 years of age or older and "incapable of self-care because of a mental or physical disability" at the time leave is to commence.

C. Spouse

"Spouse" means a husband or wife as defined or recognized in the state where the employee was married (or place of celebration) and includes individuals in same-sex and common law marriages. The term "spouse" also includes a husband or wife in a marriage that was validly entered into outside of the United States if it could have been entered into in at least one state.

**III. MEDICAL LEAVE (FMLA)**

Pursuant to the FMLA, the Reading Municipal Light Department ("RMLD") provides medical leaves of absence without pay to any eligible employee who is temporarily unable to work due to a serious health condition. Under FMLA, an eligible employee may take up to twelve (12) weeks of unpaid medical leave within a twelve (12) month period for certain medical reasons.

A. Eligibility

All regular full-time and all regular part-time employees will be eligible to seek medical leave if: (a) the employee has worked for RMLD for at least (twelve) 12 months; and (b) the employee has worked for at least 1,250 hours during the (twelve) 12 months before the requested leave. If RMLD employs spouses, each spouse can take up to twelve weeks of medical leave. Married couples are allowed a maximum of 12 weeks total combined for the birth or adoption of a child or the care of a parent.

B. Qualifying Illness or injury

An employee may qualify for medical leave if she/he has an illness or injury that makes the employee unable to perform his/her job. The injury or illness must be a "serious health condition," meaning any illness, injury or impairment that involves one or more of the following:

- a. inpatient hospitalization;
- b. continuing treatment by a health care provider due to incapacity caused by a health condition that lasts for more than three (3) days and requires health care visits or continuing treatment;
- c. pregnancy or prenatal care;

- d. a chronic, serious health condition that requires periodic visits for health care; or
- e. a permanent or long-term condition requiring medical supervision.

Employees who sustain work-related injuries are eligible for medical leave for the period of disability in accordance with all applicable laws covering occupational disabilities.

#### C. Notice of Leave

- a. Whenever possible, at least thirty (30) days written notice of the medical leave should be given to the employee's supervisor and/or Human Resources. If an employee cannot give the full amount of advance notice, she/he should give as much notice as possible under the circumstances.
- b. An employee requesting medical leave may be required to submit a Certification of Health Care Provider form to provide certification from a health care provider that a serious health condition requiring leave exists. The employee shall have 15 days to return the certification, although RMLD may allow additional time to submit the certification upon request of the employee as the circumstances may warrant. RMLD may request authentication and clarification of the certification, recertification, and second and third opinions as permitted under the FMLA.

#### D. Length of Leave

In general, an employee is entitled to a maximum of twelve (12) weeks of medical leave during any twelve (12) month period. The twelve (12) month period is a rolling period, measured backward from the date an employee last used any leave under this policy. Any combination of medical leave and family leave cannot exceed the twelve (12) week maximum. Employees will be required to first use any accrued paid leave time before taking unpaid medical leave. If the initial period of approved leave proves insufficient, consideration will be given to a request for an extension.

#### E. Intermittent or Reduced Leave Schedule

- a. A medical leave may be taken through either a reduced leave schedule or on an intermittent basis if such an arrangement is certified to be medically necessary. "Intermittent leave" and "reduced leave schedule" are defined by prevailing FMLA regulations.
- b. When an employee takes leave on a reduced work schedule or intermittent basis, RMLD may transfer the employee temporarily to an available alternative position with equivalent pay and benefits if the

alternative position better accommodates the recurring periods of medical leave.

F. Restoration Rights

- a. Employees returning from medical leave must submit a health care provider's verification of his/her fitness to return to work. So that an employee's return to work can be properly scheduled, an employee on medical leave is requested to provide RMLD with at least two (2) weeks advance notice of the date the employee intends to return to work, where practicable.
- b. At the end of a medical leave, RMLD will have the right to return the employee to his/her last position before the leave or to an equivalent position. If an employee fails to return to work on the scheduled return date, RMLD will assume that the employee has resigned his/her position. While on unpaid medical leave, employees do not accrue additional vacation, sick leave or personal time. The employee, however, will not lose any benefit rights to the extent that those rights accrued before the leave period. The accrual of benefits will be restored immediately upon the employee's return to active employment.
- c. An employee will not be entitled to more favorable employment terms as a result of taking medical leave. Thus, the employee will be subject to any pay or benefit reductions or other adverse actions, including layoff she/he would have experienced if she/he had not been on a medical leave.

G. Coordination with Available Paid Leave Time

Medical leave is unpaid leave, except to the extent that an employee is eligible for paid leave for unused sick, vacation, personal, or compensation time, as applicable. Where an employee is eligible for leave under these policies, RMLD will provide the paid leave to run concurrently with, not in addition to, the medical leave. Any available accrued paid time off must be used during any period of FMLA leave. The use of accrued paid leave time during unpaid FMLA leave time does not extend the 12-week leave period. Paid long-term and short-term disability and workers' compensation leave run concurrently with medical leave, and all accrued paid leave must be used concurrently.

H. Maintenance of Health Benefits

During the unpaid medical leave, employees retain the same medical and dental coverage and must still contribute the same amount toward medical benefits as she/he paid before the leave began. RMLD may require the employee to repay RMLD's share of the premium payment if the employee fails to return to work following the FMLA leave unless the employee does not return because of circumstances that are beyond the employee's control, including a FMLA-

qualifying medical condition.

I. Key Employees

A salaried employee who is among the highest paid ten percent (10%) of RMLD's employees may be denied reinstatement if necessary to prevent substantial and grievous economic injury to RMLD's operation. RMLD will give written notice to the employee at the time the employee gives notice of the need for FMLA leave (or when FMLA leave commences, if earlier) that she/he qualifies as a key employee. At the same time, RMLD also will fully inform the employee of the potential consequences with respect to reinstatement and maintenance of health benefits if RMLD determines that substantial and grievous economic injury to its operations will result if the employee is reinstated from FMLA leave. All determinations and procedures shall be in accordance with prevailing FMLA requirements and guidelines.

**IV. FAMILY LEAVE (FMLA)**

Under FMLA, an eligible employee may take up to twelve (12) weeks of unpaid family leave within a twelve (12) month period to fulfill family obligations relating directly to childbirth, adoption or placement of a foster child, or to care for a child, spouse or parent with a serious health condition. A serious health condition means an illness, injury, impairment or physical or mental condition that involves inpatient care in a hospital, hospice, or residential medical facility, or continuing treatment by a health care provider. Family leave is an unpaid employee leave of absence.

A. Qualifying Family Leave

Employees may qualify for family leave for any of the following reasons:

- a. the birth, adoption or foster care placement of a child, and for the care of that child (leave must be completed within twelve (12) months of the child's birth, adoption or foster care placement);
- b. to care for a seriously ill or injured spouse, parent, or child under age eighteen (18) (or a child 18 years old or over who is incapable of self-care).

B. Eligibility

- a. All regular full-time and all regular part-time employees will be eligible to seek family leave if: (a) the employee has worked for RMLD for at least twelve (12) months; and (b) the employee has worked for at least 1,250 hours during the (twelve) 12 months before the leave.
- b. If RMLD employs spouses, the total birth, adoption and childcare leave to which both will be entitled will be twelve (12) weeks in any twelve (12)

month period. Similarly, married employees may be restricted to a combined total of twelve (12) weeks in any twelve (12) month period to care for a parent with a serious health condition each spouse, however, can take up to twelve weeks to care for a seriously ill child or spouse.

C. Notice and Scheduling of Leave

- a. Employees should make requests for family leave to their supervisors at least thirty (30) days in advance of foreseeable events and as soon as practical for unforeseeable events.
- b. Employees requesting family leave related to the serious health condition of a child, spouse or parent may be required to submit a health care provider's statement verifying the need for a family leave to provide care, its beginning and expected end dates, and the estimated time required for such care.

D. Length of Leave

In general, an employee is entitled to a maximum of twelve (12) weeks of family leave during any twelve (12) month period. The twelve (12) month period is a rolling period, measured backward from the date an employee last used any leave under this Policy. Any combination of medical leave and family leave cannot exceed the twelve (12) week maximum. If the initial period of approved leave proves insufficient, consideration will be given to a request for an extension. Any available accrued paid time off must be used during any period of FMLA leave.

E. Intermittent or Reduced Work Schedule Leave

An employee may take intermittent leave or leave on a reduced leave schedule (as defined above) to care for a spouse, parent, son, or daughter with a serious health condition. If such leave is needed for planned medical treatment, then the employee shall make reasonable effort to schedule the treatment so as not to disrupt unduly RMLD's operations. Unless otherwise approved by Human Resources, leave for the birth or adoption of a healthy child must be taken at one time. When an employee takes leave on a reduced work schedule or intermittent basis, RMLD may transfer the employee temporarily to an available alternative position with equivalent pay and benefits if the alternative position better accommodates the recurring periods of medical leave.

F. Restoration Rights

- a. At the end of a family leave, RMLD will have the right to return the employee to his/her last position before the leave or to an equivalent position. While on unpaid family leave, employees do not accrue additional vacation, sick leave or personal time. The employee, however, will not lose any benefit rights to the extent that those rights accrued before the leave period.

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

G. Coordination with Available Paid Leave Time

Family leave is unpaid leave, except to the extent that an employee is eligible for paid leave for unused sick, vacation, personal, or compensation time, as applicable. When an employee is eligible for leave under this policy or any other RMLD personnel policy, RMLD will provide the paid leave to run concurrently with, not in addition to, the Family and Medical Leave. Any available accrued paid time off must be used during any period of FMLA leave. The use of accrued paid leave time during unpaid FMLA leave time does not extend the 12-week leave period. Paid long-term disability and workers' compensation leave run concurrently with medical leave, and all accrued paid leave must be used concurrently.

H. Maintenance of Health Benefits

During family leave, employees retain the same medical and dental coverage and must still contribute the same amount toward medical benefits as she/he paid before the leave began. RMLD may require the employee to repay RMLD's share of the premium payment if the employee fails to return to work following the FMLA leave unless the employee does not return because of circumstances that are beyond the employee's control, including a FMLA-qualifying medical condition of the employee or the employee's family member.

I. Key Employees

A salaried employee who is among the highest paid ten percent (10%) of RMLD's employees may be denied reinstatement if necessary to prevent substantial and grievous economic injury to RMLD's operation. RMLD will give written notice to the employee at the time the employee gives notice of the need for FMLA leave (or when FMLA leave commences, if earlier) that she/he qualifies as a Key Employee. At the same time, RMLD also will fully inform the employee of the potential consequences with respect to reinstatement and maintenance of health benefits if RMLD determines that substantial and grievous economic injury to its operations will result if the employee is reinstated from FMLA leave. All determinations and procedures shall be in accordance with prevailing FMLA requirements and guidelines.

**V. SMALL NECESSITIES LEAVE**

RMLD also provides eligible employees with leave as governed by the Massachusetts Small Necessities Leave Act ("SNLA"), Mass. General Laws c. 149, § 52D.

A. Permitted Purposes

Eligible employees may be entitled to take up to twenty-four (24) hours of unpaid leave during any rolling twelve (12) month period for any of the following purposes:

- a. Accompanying a son or daughter (defined as a biological, adopted or foster child, stepchild, or legal ward under the age of eighteen (18) or, if 18 and older, incapable of self-care) to routine health care appointments, including medical and dental appointments;
- b. Participation in school activities of a son or daughter as long as those activities are directly related to the educational advancement of the child (e.g., parent teacher conferences, interviews for a new school);
- c. Accompanying an elderly relative (defined as an individual at least sixty (60) years of age related to the employee by blood or marriage) to routine health care appointments, including medical and dental visits;
- d. Accompanying an elderly relative to an appointment for professional services related to the individual's care, such as interviewing for a nursing home or group care facility.

B. Eligibility

Generally, an employee who has been employed by RMLD for at least twelve (12) months and has worked at least 1,250 hours during the twelve (12) month period immediately prior to the commencement of the leave is eligible for SNLA leave for any of the purposes listed above.

C. Length of Leave

An employee may take up to twenty-four (24) hours of SNLA leave within any rolling twelve (12) month period, measured backward from the date any leave is used. SNLA leave may be taken in one-hour increments up to the maximum amount of leave time available.

D. Notice and Scheduling of Leave

- a. In the event of foreseeable leave, employees are expected to submit a written request for leave forty-eight (48) hours prior to the anticipated commencement of the leave. Where leave is not foreseeable, notice must be given as soon as is practicable, but not less than one day prior to the leave.
- b. An employee may be required to submit a certification form from the health care provider or administrator visited during the leave. It is the employee's responsibility to ensure that the certification form is completed and returned to the Human Resources office. If an employee fails to obtain the appropriate medical certification of the need for the leave, RMLD reserves the right to refuse the SNLA leave or to refuse to allow an employee to remain on SNLA

leave.

E. Coordination with Available Paid Leave Time

Employees are required to use paid vacation, personal, or compensation time, if available, during the time taken for SNLA leave. Any paid time off used is exhausted simultaneously with an employee's entitlement to SNLA leave. If the employee has no paid time off available, then the leave will be unpaid.

**VI. ADDITIONAL RIGHTS UNDER THE PARENTAL LEAVE ACT (PLA)**

Employees who do not qualify for unpaid leave for the birth or adoption of a child or the care of a disabled child may qualify for leave under the PLA.

A. Eligible Employee

An employee who has completed the initial probationary period set by the terms of employment or three months of full-time employment, whichever is shorter.

B. Entitlement

Eligible Employees shall be entitled to parental leave for the purpose of (a) giving birth or adoption of a child; (b) the placement of a child under the age of 18, or under the age of 23 if the child is mentally or physically disabled.

C. Amount of Leave

- a. The employee may take up to eight (8) weeks of parental leave for each child. For instance, an employee who gives birth to twins or adopts two children at the same time will be entitled to 16 weeks of unpaid leave. Provided however, spouses employed by RMLD shall only be entitled to 8 weeks of parental leave in aggregate for the birth or adoption of the same child.
- b. PLA leave may be in addition to FMLA leave. For instance, an employee who gives birth in January and exhausts his/her FMLA leave may take an additional eight weeks under the PLA for adoption or placement of another child in June.

D. Notice

The employee shall give at least two (2) weeks' notice to his/her supervisor and/01 Human Resources of the anticipated date of departure and his/her intention to return to work. If two (2) weeks' notice is not feasible under the circumstances due to reasons beyond the employee's control, notice shall be provided as soon as practicable.

E. Restoration

Except in the event of workforce reduction or reorganization of RMLD, the employee shall be restored his/her previous, or a similar, position with the same status, pay, length of

service credit and seniority, wherever applicable, as of the date of the leave. Provided however that in the event of a reduction in workforce or reorganization, the employee on parental leave shall retain any preferential consideration for another position to which s/he may be entitled as of the date of the leave.

F. Benefits

Benefits will be administered in accordance with the PLA. Where an employment or collective bargaining agreement entitles an employee to more favorable benefits or treatment, the more favorable benefits shall apply.

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I have received and read  
Policy No. 20, Revision No. 4

Date

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Please print your name

**POLICY 21: NON-UNION MANAGEMENT  
COMPENSATION AND BENEFITS**

**RMLD Policy No. 21**  
**NON-UNION MANAGEMENT COMPENSATION AND BENEFITS**

Revision No. 10

Commission Vote Date February 24, 2022



[coleen obrien \(Feb 28, 2022 16:16 EST\)](#)

General Manager/Date

February 24, 2025

Next Review Date

**I. SCOPE**

A. Purpose

This purpose of this policy is to establish guidelines and overall administrative controls for periodic salary adjustments, overtime compensation consistent with the Fair Labor Standards Act ("FLSA"), and certain benefits. This policy does not apply to benefits governed by statute, such as pension and group insurance benefits. Benefits may be supplemented by separate vote of the Reading Municipal Light Department ("RMLD") Board of Commissioners ("Board").

B. Applicability

This policy applies to all non-union management personnel, and such other newly created or modified non-union management positions due to organizational changes. This policy does not apply to the General Manager or to any unionized personnel. The General Manager's compensation and benefits shall be governed by his/her employment agreement or as otherwise set by the RMLD Board of Commissioners. The compensation and benefits for union employees shall be governed by the applicable collective bargaining agreement.

C. General Eligibility Requirements for Part-time Employees

Permanent, part-time non-union management employees must work a minimum of twenty (20) hours per week to be entitled to benefits. Employees who work nineteen (19) hours per week or less shall not be entitled to any benefits. A thirty hour minimum is required for Tuition Reimbursement benefit.

Part-time, non-union management employees who work at least twenty (20) hours per week shall be entitled to group health and dental and IRC 457 deferred compensation benefits. All other RMLD benefits will be offered on a pro-rated basis based on average number of hours worked (i.e. vacation, personal leave, sick leave, tuition, holidays, longevity and disability insurance).

**II. RESPONSIBILITIES**

A. General Manager

1. Responsible for establishing salary ranges, as set forth in Section III.A. of this policy;
2. Providing salary adjustments, as provided in Section III.B.
3. Reviewing and recommending changes to this Policy the Board, as needed, or requested by the Board.
4. Periodically perform performance evaluations of personnel subject to this policy.
5. Provide an accounting of all salary adjustments made under this policy upon request by the Board of Commissioners.

B. Human Resources Director

1. The Human Resources Director is responsible for the periodic review of exempt and non-exempt positions. Classifications will be adjusted to reflect organizational changes.
2. Responsible for the periodic review of this Policy and RMLD internal processes to ensure continuing compliance with the Policy's requirements.
3. Responsible for maintaining an updated Position Evaluation program for exempt and non-exempt personnel.
4. Responsible for tracking the accrual and use of overtime, compensation time, and vacation, sick, and personal leave benefits and preparing and retaining such documentation.

C. Payroll Department

1. Responsible for paying exempt and non-exempt overtime only after ensuring that the requirements set forth in Section IV of this policy are satisfied.

**III. SALARIES**

A. Salary Ranges

The General Manager shall establish salary ranges for all positions subject to this policy, including new non-union management positions created. The General Manager shall review salary ranges on an annual basis and make any adjustments as needed to reflect, among other things, changes in cost of living, conditions or terms of employment, and prevailing salaries in the area for comparable positions. In establishing and adjusting salary ranges, the General Manager will use economic indicators representative of the Boston and North Shore area, appropriate local objectives and subjective factors, and other considerations as may be considered appropriate by the General Manager.

Such adjustments to salary ranges will not necessarily result in an adjustment of the actual salary or any non-union management employee, except as may be necessary to bring the salary of a non-union management employee within the new minimum of the salary grade range.

B. Individual Salary Adjustments

Individual salary adjustments will be made periodically by the General Manager using written performance reviews and other objective or subjective criteria, as deemed appropriate by the General Manager. As a guideline, the General Manager may use compensation information for comparable positions of electric utilities or reasonably similar organizations serving the Northeast, although the General Manager shall have the discretion and authority to adjust management salaries to any level within the employees' assigned salary range provided that the new salaries do not exceed the overall Annual Operations and Capital Budgets approved annually by the Board.

**IV. OVERTIME AND COMPENSATION TIME**

A. General

Non-union management employees have been classified as either exempt or non-exempt. For purposes of this policy, exempt employees do not include the General Manager, Director of Business Finance, Director of Integrated Resources, Director of Engineering and Operations, Director of Human Resources, and Director of IT.

In general, only compensation (or "comp") time will be available for exempt employees who work overtime. However, in certain circumstances as set forth in Section IV, C.3., exempt employees may be paid overtime in recognition of the unique demands inherent in maintaining a reliable 24-hour per day electric operation.

B. Non-exempt Non-Union Employees (Grade level 49, 50, 51)

1. Classification

Non-exempt employees are those employees that are classified on their job descriptions as Grade Level 51 or below. The classification is subject to change or expansion by the General Manager or by the Human Resources Director to reflect organizational changes.

2. Use of Compensation Time

Employees may use their compensation time at such times as approved by their respective managers.

C. Exempt Non-Union Employees (Grade Level 52, 53, 54)

1. Classification

Exempt employees are those employees that are classified on their job descriptions as Grade Level 52, 53, or 54, as may be changed by the General Manager or the Human Resources Director to reflect organizational changes.

2. Eligibility and Requirements

Exempt employees can earn and accrue compensation time for overtime hours worked as follows:

- a. With the authorization of the employee's direct manager, exempt employees are eligible to accrue a maximum of 120 hours, or 15 "comp" days, within a calendar year. Example: if you have 120 hours of "comp" time accumulated you must use some of your compensation time to keep your balance under 120 hours before you may accrue more time.
- b. Before an exempt employee can start to accrue compensation time, he or she must work a minimum of one full hour of overtime in the workday.
- c. Except as provided in Section IV.C.3. below, the ratio for exempt employee overtime to compensation time is 1 to 1. Thus, exempt employees who work one hour of overtime will accrue one hour of "comp" time.
- d. Exempt employees shall indicate their accrued and expended "comp" hours on their time sheet with a brief description of overtime worked on the reverse side. The corresponding "comp" time balance will be shown on the payroll stub.
- e. Employees may use their compensation time at such times as approved by their respective managers.
- f. Up to 120 hours or 15 days of "comp" time may be carried over into the next year, provided that the total amount of "comp" time in any given year shall not exceed the 120-hour or 15 "comp" day annual limitation. (Example: you could carry over 120 hours or 15 days of "comp" time but you may not accrue additional "comp" until some existing "comp" time is used. Example: you could carry over 60 hours of "comp" time and you would be eligible to earn up to 60 hours of additional "comp" time in the current year until "comp" time is used.)

3. Exceptions for Exempt Non-Union Employees (Grade Level 52, 53, 54)

When the General Manager or designee requires exempt management employees to work after hours as needed to restore electric service, overtime will be paid or compensation time will accrue at the election of the employee at a rate of time and one-half (1 ½). Some or all non-union management employees may be required to work overtime in such emergency situations. The decision of which management employees are required to work overtime in emergency situations will be determined by the General Manager or designee.

Any compensation time accrued due to these instances will not count towards the 120 hour maximum as stated in Article IV, Section C, paragraph 2. a.

D. Payment of Accrued Overtime Upon Separation from Employment

Upon leaving the employment of the RMLD, exempt and non-exempt non-union management personnel, with the exception of the Director of Business Finance, Director of Integrated Resources, and Director of Engineering Operations, will be paid for any unused compensation time at their hourly rate of pay at the time of their departure. Exempt employees shall not be paid in excess of the 15-day or 120 hours cap. Non-exempt employees shall not be paid in excess of the 240-hour cap.

**V. LONGEVITY PAY**

A. Eligibility

All non-union management employees may be eligible for longevity pay based on their years of continuous service. Service at RMLD or any Reading Town Department will be counted towards years of continuous service.

B. Annual Payment

All non-union management employees will receive each year, in addition to their regular pay, longevity pay in accordance with the following schedule. Longevity pay will be paid on the first payday in December of each year by separate check, mirrored of IBEW for the following service years.

- Upon completion of 5 years of continuous service
- Upon completion of 10 years of continuous service
- Upon completion of 15 years of continuous service
- Upon completion of 20 years of continuous service
- Upon completion of 25 years of continuous service
- Upon completion of 30 years of continuous service

C. Payment upon Separation from Employment

Employees who terminate their employment on a voluntary basis or are laid off by RMLD will be entitled to longevity pay upon their separation from employment prorated on a calendar basis. Pro-ration will be based on full months of service only.

**VI. VACATION AND PERSONAL LEAVE**

A. Vacation Benefits

1. Eligibility and Amount of Vacation Time

All non-union management employees will earn vacation time in accordance with the following schedule. This schedule refers to completed years of service. Permanent part-time employees (those working 20 hours per week or more) will receive prorated benefits based on either a 37 ½ or 40 hour work week. New employees who are hired during the calendar year will receive prorated vacation for full months of service only.

0-4 years of service	15 days vacation*
5-9 years of service	20 days vacation
10 years of service	21 days vacation
11 years of service	22 days vacation
12 years of service	23 days vacation
13 years of service	24 days vacation
14 years of service	25 days vacation

\*Employees in Grades 49 through 51 will receive a maximum of ten (10) vacation days in their first calendar year of employment, prorated for full months of service.

2. Payment for Unused Vacation Time

Any employee may sell back at base wage, in full day increments only, up to a maximum of five (5) days of vacation per calendar year provided the employee makes a request in writing and such request is received before the last paycheck of the year is processed.

3. Use of Vacation Time and Carryover

The RMLD encourages its employees to take their vacation time. Vacation time shall be scheduled with the approval of the employee's manager. An employee may carry over up to a maximum of ten (10) days of accrued vacation into the following year, unless RMLD requests that the employee delays the use of vacation time due to operational needs. If RMLD requests the employee to delay the use of vacation time, the General Manager has discretion to allow additional carryover.

4. Reimbursement of Unearned Vacation Time

Although employees are advanced vacation days on January 1 for the calendar year, vacation days are earned and accrued monthly. Accordingly, an employee who separates from employment and has taken vacation in excess of time earned shall compensate RMLD for any used but unearned vacation time, either directly or by withholding such amounts from the employee's paycheck. This provision does not apply to employees who are laid off or retire as provided in paragraph 5 below.

5. Exception to Reimbursement of Unearned Vacation Time

Employees who separate from employment due to lay-offs, disability retirement, retirement under the Commonwealth's retirement program shall not be required to reimburse RMLD for any used but unearned vacation time provided that any such retiring employee provides RMLD with 60 days' advanced notice of retirement, unless the amount of such notice is not feasible under the circumstances. In which case, such retiring employee must give as much advanced notice as feasible. All employees who are laid off or retiring employees who meet the above notice requirements shall receive compensation for any unused portion of their full advanced vacation entitlement for the year.

B. Personal Leave

1. Amount

Employees shall be entitled to two (2) personal days per calendar year with pay.

2. Bonus Day for Perfect Attendance

Employees who have perfect attendance (no sick days used) in a calendar year will receive an extra personal day in the following year.

3. Use of Personal Days

Personal days may be taken in full days or in hourly increments. Use of personal days shall be scheduled with the approval of the employee's manager.

4. No Carryover or Payment

Personal days cannot be carried over into the following year nor will they be paid out.

## **VII. IRC 457- DEFERRED COMPENSATION**

Non-union management employees are eligible to receive up to 4% of their base salary in matching RMLD contributions to the Town of Reading's deferred compensation plan, IRC 457. In any year, the maximum amount that will be matched under this policy will not exceed 50% of the maximum deduction currently allowed under the law, up to a maximum RMLD contribution of \$7,000. The matching contribution will be paid at the beginning of each calendar year consistent with the employee's contribution schedule.

**POLICY 25: ANONYMOUS COMMUNICATIONS**



**III. POLICY ELEMENTS:****B. Incident Investigation Procedure – General Manager**

1. If a complaint relates to a possible violation of Federal/State Law on Sexual Harassment, the General Manager will refer to Policy #15 and follow those procedures.
  2. For other complaints relating to alleged misconduct, the General Manager will refer the communication to legal counsel for further specific actions to follow, if any. The Human Resources Manager will notify the RMLD Board of Commissioners and legal counsel for course of action should the complaint pertain to the General Manager.
  3. The General Manager will inform all individuals referenced of the specific text or reference, but will not inform individuals about references to any other individuals.
  4. When appropriate, the General Manager will inform supervisors of complaints against particular individuals.
  5. The General Manager may refer the communication to other public agencies, depending on the nature of the complaints, as deemed necessary.
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\_\_\_\_\_  
I have received and read Policy #25  
Rev #0

\_\_\_\_\_  
Date

\_\_\_\_\_  
Please print your name

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# **POLICY 26: CDL ALCOHOL AND DRUG TESTING**

**RMLD Policy No. 26**  
**COMMERCIAL DRIVERS LICENSEE'S ALCOHOL AND DRUG TESTING**

**Revision No. 1**

**Commission Vote Date: November 30, 2022**



Dec 5, 2022

**General Manager/Date**

**Next Review Date: November 30, 2025**

**I. PURPOSE**

To comply with Federal regulations set forth by the Department of Transportation in 49 CFR, Part 40.

Note: This Policy #26 substitutes for an Article in the LMS and CT union contracts. Policy #26 generally applies to affected management employees in a manner consistent with their non-union status. In such management cases, the discretion of the General Manager applies.

Note: Signatures at the CT and LMS union officers appear at the end of this Policy to signify a ratification of the language of this policy by their membership.

**II. APPLICABILITY**

Any active employee who's Position is required to have a valid Massachusetts Commercial Drivers License (CDL) to perform their job duties is subject to this Policy. A copy of this article and supporting information as required by the Department of Transportation will be provided to all such drivers and they are required to confirm its receipt in writing on a form provided by the Employer.

*All RMLD employees, whether CDL licensed or not, are also required to comply with RMLD Policy 6, "Drug Free Workplace".*

**III. RESPONSIBILITIES**

**A. General Manager**

The General Manager is responsible for the overall compliance.

**B. Human Resources**

Human Resources is responsible for the overall administration, recordkeeping, and contractual services retained to administer and maintain this program. Responsible for ensuring that all types of drug and/or alcohol testing is done in compliance with parameters set forth in Dept. of Transportation 49 CFR, Part

40. Responsible for maintaining confidentiality at all times.

In the event of an extended absence of both the HR Manager, a management designee will be temporarily responsible for the above-referenced testing activities.

C. Asst. General Managers and CDL Supervisors

Responsible for the identification for possible alcohol and drug testing of employees who hold Commercial Driver's Licenses in the following circumstances: reasonable suspicion, post-accident and pre-employment.

IV. **TERMINOLOGY DEFINITIONS**

Safety-sensitive function is defined as driving any RMLD vehicle with a gross weight in excess of 26,000 lbs. Additionally, this includes all time spent associated with such vehicles:

- a. waiting to be dispatched to a job site or otherwise remaining in readiness to operate the vehicle.
- b. inspecting, servicing or conditioning the vehicle
- c. in or on the vehicle for any reason.
- d. actually loading or unloading the vehicle.
- e. supervising or assisting in loading or unloading the vehicle.
- f. giving receipts for any shipments loaded or unloaded from the vehicle
- g. repairing, obtaining assistance, or remaining in attendance if the vehicle is disabled.

V. **WORK RELATED ACCIDENTS**

*After a work-related traffic accident:*

- a. involving loss of human life;
- b. a moving traffic citation is issued to the CDL holder.

the surviving RMLD driver involved will be tested for alcohol and controlled substances. The driver is required to present himself/herself for alcohol testing within two (2) hours following the accident and within 32 hours following the accident for controlled substance testing. No alcohol or controlled substances may be consumed for at least 8 hours after the accident or until a test is conducted.

If the driver does not remain readily available for testing or otherwise fails to

cooperate with the testing process in any way that prevents the completion of the test or engages in conduct that clearly obstructs the testing process, they are deemed to have refused testing, unless accident circumstances prohibit compliance.

The Employer may, but is not compelled to, substitute a law-enforcement based post-accident test, if available.

#### VI. **RANDOM TESTING**

All drivers will be subject to *unannounced random* testing for alcohol and drugs spread throughout the year to the extent reasonable such testing should be done at the beginning or end of the driver's regular daily work schedule. Selected drivers must proceed to the test site immediately. Selection will be by a scientifically valid method to ensure randomness.

If an employee goes on any form of paid or unpaid leave prior to completion of the testing or otherwise fails to cooperate with the testing process in any way that prevents the completion of the test or engages in conduct that clearly obstructs the testing process, he/she will be considered to have failed the test.

#### VII. **REASONABLE SUSPICION TESTING**

The Employer will test for alcohol and controlled substances on the basis of reasonable suspicion. This testing will be based on specific written observations within 24 hours of the observed behavior by a trained supervisor(s) concerning the appearance, behavior, speech or body odors of the driver. Such employees cannot perform any safety-sensitive function until negative test results are received.

Reasonable suspicion testing requires that:

1. the employee's conduct must be directly observed by 1 trained supervisor.
2. the supervisors must have received the D.O.T. required training concerning the appearance, behavior, speech or body odors of the driver.
3. the driver is subject to immediate testing.

Employee refusal or otherwise failing to cooperate with the testing process in any way that prevents the completion of the test or engaging in conduct that clearly obstructs the testing process will be treated as having tested positive.

#### VIII. **PRE-EMPLOYMENT TESTING**

Pre-employment drug testing is conducted before applicants are hired or after an offer to hire, but before actually performing safety-sensitive functions for the first

time. Testing is also required when an employee transfers to a safety-sensitive position which requires a CDL.

IX. **CONSEQUENCES OF TEST REFUSAL OR FAILURE**

Any driver who refuses to take or fails testing for alcohol and/or controlled substances may not return to CDL driver duties until:

- a. the employee has undergone evaluation, and where necessary, rehabilitation. A substance abuse professional determines that the employee has successfully complied with any required rehabilitation.
- b. the results of the return-to-duty controlled substance test indicate a negative result for controlled substance use.
- c. the results of the return-to-duty alcohol test indicate an alcohol concentration of less than 0.02

The following procedure shall be implemented in response to a positive drug or alcohol test.

1. The employee will be immediately relieved of all duties and suspended without pay.
2. Rehabilitation and/or treatment beyond the scope of the Employer's Employee Assistance Program (EAP), or medical insurance plan will be the financial responsibility of the employee. Upon enrollment in a SAP-approved rehabilitation/treatment program, the employee will be granted leave for rehabilitation purposes retroactive at full pay up to the amount of his/her accumulated sick leave time from the time of test failure or refusal until successfully completing a return-to-duty controlled substance or alcohol test. Employees expending all their accumulated sick leave will be permitted to use other accumulated leave as designated by the employee. This leave period shall be concurrently charged to FMLA leave. Such employees are not eligible to perform any Employer work activities.

Such employees will also be subject to at least six unannounced tests for a subsequent period of twelve (12) months after each drug or alcohol testing failure. Such testing will be conducted only immediately before, during or immediately after the CDL licensee performs a safety-sensitive function. The substance abuse professional may require additional follow-up testing.

Failure to adhere to all of the above testing, rehabilitation requirements or any other requirements determined by the substance abuse professional is grounds for immediate termination.

**Notwithstanding the LMS & CT provisions of the "Sick Leave and Emergency Leave" contract articles,** employees within their probationary period shall be immediately terminated from employment upon the first positive drug or alcohol test or the first refusal to take a drug or alcohol test. This employer action is not subject to the grievance article.

**Notwithstanding the LMS & CT provisions of "Sick Leave and Emergency Leave" contract articles,** employees having completed their probationary period and who have up to 5 years RMLD experience shall have access to this article but only for the first offense. A second refusal to take or failure to pass the controlled substance or alcohol test shall result in termination. This provisions only applies to employees hired after January 1, 1996.

**Notwithstanding the LMS & CT provisions of "Sick Leave and Emergency Leave" contract articles,** employees having completed their probationary period and have at least 5 years RMLD experience shall have access to this article for the first and second offense. A third refusal to take or failure to pass the controlled substance or alcohol test shall result in termination.

The employer may arrange for any work missed by an employee on leave for rehabilitation purposes by any means that meets the business needs of the employer regardless of any other limitations expressed or implied elsewhere in this Policy or in past practice.

All of the Employer actions, unless explicitly stated otherwise elsewhere in this Policy, are subject to the grievance process. Any grievance shall be expedited as follows:

- a. The Union shall submit the grievance to the American Arbitration Association within ten (10) working days of the employee's termination and agrees to use the most expedited arbitration process then available.
- b. Both parties will waive the right to present briefs to the arbitrator unless it is otherwise mutually agreed. The arbitration will be otherwise expedited in accordance with the rules of the American Arbitration Association, with the cost of the arbitration shared equally by the parties.

X. **COMPLIANCE WITH APPLICABLE LAWS, RULES, AND REGULATIONS**

All alcohol and controlled substance testing and record keeping will comply with U.S. Department of Transportation published rules and regulations and any State or local officials with regulatory authority over the Employer or drivers.

XI. **COST OF TESTING**

The Employer agrees to pay for all costs associated (including transportation to and from the testing facility) with alcohol and controlled

substance testing except when the employee requests a confirmatory test. The Employer agrees to use split samples for controlled substance testing. Should the first split sample test positive, the employee may request a confirmatory test on the remaining sample. If the result of this confirmatory test is positive, the employee pays for the confirmatory test. If the confirmatory test results are negative, the Employer pays for the confirmatory test. Confirmatory tests requested by the Employer are paid.

XII. **EMPLOYEE'S PERSONNEL RECORDS**

An employee subject to testing is entitled, upon written request to the Employer or designee, to obtain copies of available personnel records pertaining to his or her tests within two (2) working days.

XIII. **DRUG AND ALCOHOL USE PROHIBITIONS**

No employee whose position requires a CDL shall report for duty or remain on duty requiring the performance of safety sensitive functions shall:

- a. On duty, possess, be under the influence of, or use, any prohibited substance, narcotic drug, or any derivative thereof.
- b. Consume an intoxicating beverage regardless of its alcoholic content, within four ( 4) hours of going on duty to perform any safety-sensitive functions requiring a CDL.
- c. Refuse to sign a consent or release form authorizing the collection of specimen, analysis of specimen and release of the results to the Employer, or otherwise directly or indirectly impede these and associated activities.
- d. Fail to inform appropriate supervisors of a work-related traffic accident as defined in section 5 above.
- e. Use alcohol within 8 hours of a work-related traffic accident involving loss of human life or a traffic citation issued to the CDL holder or until:
  1. The employee has been drug and alcohol tested, **or**
  2. the employee's conduct has been discounted as a contributing factor in the accident, and the employee will not be required to provide a specimen.

XIV. **MISCELLANEOUS**

No part of this Policy shall be interpreted as preventing other disciplinary or other Employer actions as appropriate.

This Policy will be interpreted in accordance with Department of Transportation

interpretations regarding 49 CFR, Part 40 and associated rules and regulations.

Employees found to have a blood alcohol concentration of 0.02 to 0.039 are removed from driving a CDL vehicle for twenty-four (24) hours and be subject to employer disciplinary action. The employer will reassign the employee to any non-safety sensitive duty that meets the business needs of the employer for the remainder of the shift and any portion of the next shift that falls within the 24-hour period from the test results being made known to the employer. If the employee cannot be used in this manner, he/she will be sent home without pay.

Employees are required to maintain a valid CDL license accepted by the Commonwealth of Massachusetts. Failure to do so, will result in suspension with pay to be charged against personal leave or vacation time, at the employee's option. Upon exhaustion of such leaves, the employee will be required to return to work in a position that does not require a CDL provided such a position is available. The employee is required to make every reasonable effort to regain a valid CDL during this period. If no such position is available or if the employee is in such a non-CDL position for more than 90 days, the employee will be terminated. Compensation for the non-CDL position will be at the normal Appendix A Wage scale, Step 4 applicable to that position or the employee's normal wage scale whichever is lower.

\_\_\_\_\_  
I have received and read  
Policy No. 26, Revision No. 1

Date \_\_\_\_\_

\_\_\_\_\_  
Please print your name

**POLICY 27: USE OF RMLD  
INFORMATION SYSTEMS**

**RMLD Policy No. 27**  
**USE OF RMLD INFORMATION SYSTEMS:**  
**COMPUTERS, E-MAIL, INTERNET AND OTHER INFORMATION SERVICES**

Revision No. 3

Commission Vote Date 10/20/2022



Oct 26, 2022

10/20/2025

**Interim General Manager/Date**

**Next Review Date**

**I. PURPOSE**

The purpose of this Policy is to establish guidelines for the use of Reading Municipal Light Department's ("RMLD") electronic devices, including, but not limited to, computers, networks, software, Internet, Intranet, email systems, electronically stored or computerized voicemail systems, the Internet, and other RMLD information systems and services (may be referred to collectively as "information systems") by employees and the RMLD Board of Commissioners. RMLD recognizes that use of information technology and related systems and services has many benefits and can improve the efficiency and effectiveness of RMLD business and workplace communications. RMLD also recognizes that certain uses may place RMLD and others at risk or otherwise may be incompatible with a professional environment. Accordingly, RMLD has established these guidelines governing the use of RMLD information systems.

**II. RESPONSIBILITIES**

A. General Manager. The General Manager or his/her designee shall be responsible for the following:

1. Overall implementation of and compliance with this Policy;
2. Taking corrective or disciplinary action for violations of this Policy;
3. Recommending policy changes or procedures with respect to non-technical matters; and
4. Reporting to and interacting with the Board of Commissioners regarding this Policy.

B. Director of Information Technology. The Director of Information Technology shall be responsible for the following:

1. Recommending updates to this Policy regarding technical matters;

2. As may be authorized by the General Manager, monitoring activities involving the use of RMLD's information systems in accordance with RMLD's policies and procedures, and reporting any suspected violations or other suspicious behavior to the General Manager;
  3. Providing assistance with investigations and disciplinary proceedings involving the use of information systems at the request of the General Manager;
  4. Providing recommendations to improve the security of RMLD's information systems and protect against misuse; and
  5. Providing information in response to questions by the General Manager and/or Board of Commissioners regarding RMLD information systems and this Policy.
- C. Director of Human Resources. The Director of Human Resources shall be responsible for assisting the General Manager and/or Director of Information Technology with investigations and the imposition of disciplinary measures with respect to violations of this Policy.
- D. The Board of Commissioners. The Board of Commissioners are responsible for approving policy changes and for using RMLD information systems in compliance with this Policy and the Open Meetings Law. Board members should be mindful that communications with another Board member could result in serial communications between a quorum of Board members in violation of the Open Meeting Law. Board members are cautioned against using email to communicate with other Board members except for purely educational, procedural or housekeeping matters. If an email is received by a Board member, the Board member should not forward the messages to other Board members. Board members also should refrain from discussing RMLD business, with the exception of procedural matters, in online forums or group messaging.

### **III. PERMITTED USE**

- A. Permitted Uses – Generally. RMLD's information systems are RMLD property and are to be used for RMLD business during work hours. Incidental and occasional brief personal use is permitted during non-working hours, so long as such use does not interfere with any employee's work or violate this or other RMLD policies. Employees also may use RMLD information systems on a limited basis for academic assignments during non-working hours.

### **IV. PROHIBITED USES**

- A. Prohibited Uses - Generally. RMLD information systems may not be used for any purpose or manner that may jeopardize RMLD's operations or image, cause harm

to its property or others, or is otherwise incompatible with a professional environment. RMLD Employees may not use RMLD information systems to engage in harmful or offensive activities, to appropriate proprietary information or in manner that is or may be inconsistent with RMLD's interests.

1. Harmful and Offensive Activities. RMLD specifically prohibits the use of information systems in ways that are disruptive, offensive to others or harmful to morale, including sending or receiving sexually explicit messages, images and cartoons, ethnic slurs, racial comments, off-color jokes or anything that could be construed as harassment or that shows disrespect for others, defames or slanders others, or otherwise harms another person or business.

Employees may not use the Internet to access websites that contain any such harmful or offensive material, including any website that contains sexually suggestive or erotic content, any discriminatory messages or material that disparages any group. Employees may not use RMLD information systems for non-RMLD solicitations or commercial messages and for messages of a religious or political nature. E-mail and Internet access always should be used in such a way that all transmissions, whether internal or external, are accurate, appropriate, ethical and lawful.

2. Proprietary Information. Illegal duplication of software or violation of copyright laws by the duplication or sharing of software, or the distribution of copyrighted material, is strictly prohibited. Also, employees shall not use a password, access a file or retrieve a stored communication that is not normally accessible to that employee.
3. Personal Opinions. Employees and Commissioners shall not use RMLD information systems to convey personal or individual opinion(s) to the public or otherwise give the appearance that a personal opinion constitutes the official position of RMLD. Good judgment should always be used when acting as a representative of the RMLD in news groups, bulletin boards, social media, etc.

B. Specific Prohibited Uses. The following uses are prohibited, regardless of whether RMLD information systems are used for RMLD or personal business. The following is a non-exhaustive list.

- Sending chain letters or participating in any way in the creation or transmission of unsolicited commercial e-mail ("spam") that is unrelated to legitimate RMLD purposes;
- Accessing networks, servers, drives, folders, or files to which the employee has not been granted access or authorization, including accessing confidential information of RMLD staff or customers;

- Installing or downloading software not authorized by RMLD, even if the software will be used for business purposes;
- Making unauthorized copies of RMLD's electronic files or other RMLD data;
- Destroying, deleting, erasing, or concealing RMLD files or other RMLD data, or otherwise making such files or data unavailable or inaccessible to RMLD or to other authorized users of RMLD systems;
- Misrepresenting oneself or RMLD;
- Violating any federal, state, or local laws and regulations;
- Violating any RMLD policies or standards of conduct;
- Engaging in other unlawful or malicious activities;
- Engaging in serial communications with Board members in violation of Open Meeting laws;
- Deliberately propagating any virus, worm, Trojan horse, trap-door program code, or other code or file designed to disrupt, disable, impair, or otherwise harm either RMLD's networks or systems or those of any other individual or entity;
- Using abusive, profane, threatening, racist, sexist, or otherwise objectionable language in either public or private messages;
- Sending, receiving, or accessing obscene materials;
- Conducting a side business or activities that conflict with RMLD duties or obligations;
- Causing congestion, disruption, disablement, alteration, or impairment of RMLD networks or systems;
- Maintaining, organizing, or participating in non-work-related Web logs ("blogs"), Web journals, chat rooms, or private/personal/instant messaging;
- Failing to log off any secure, controlled-access computer or other form of electronic data system to which you are assigned, if you leave such computer or system unattended;
- Engaging in online sports betting and gambling;
- Playing recreational games; and/or

- Defeating or attempting to defeat security restrictions on RMLD systems and applications.

## **V. PRIVACY AND ENFORCEMENT**

- A. No Expectation of Privacy. RMLD information systems, including all devices, files, and services are RMLD property and RMLD employees shall have no expectation of privacy when using such information systems, devices, and services, even when used for authorized personal purposes and/or when such data or files are password protected.
- B. Monitoring and Inspections. In accordance with authorization that the General Manager may give to certain RMLD managers and authorized staff, such RMLD managers and authorized staff may monitor and inspect RMLD information systems, including all active, backup and “deleted” files, and may monitor employee use. Even though files, data, or messages may appear to be “deleted”, employees should be aware that such information may be available for retrieval and inspection. Internet and Intranet activity can be monitored.
- C. Use of Employee Data and Information. RMLD may use any data or information retrieved from its information systems for any legitimate RMLD purposes, including disciplining RMLD employees and reporting violations of this policy or any laws to the appropriate authorities.
- D. Violations. RMLD may impose corrective action or discipline, including termination of employment, for violations of this policy. Corrective action may include, but is not limited to, restricting access to RMLD information systems, including all devices, files, and services. Employees should notify their immediate supervisors or manager of any suspected violations of this policy or any potential security breach.

## **VI. ADDITIONAL RESPONSIBILITIES - HARDWARE AND SOFTWARE**

- A. Cooperation. All RMLD employees and Commissioners shall cooperate with the implementation of RMLD IT security software, hardware and software upgrades as directed by Information Technology (“IT”) Department.
- B. Approval. All employees and Commissioners shall obtain approval of the IT Department prior to installing or downloading any software.
- C. Protection of RMLD Property. All users are expected to take reasonable care of RMLD information systems. Intentional damage (*i.e.*, vandalism) of hardware, software files and computer peripherals is prohibited and may result in disciplinary action up to and including termination. Accidental damage shall be reported immediately to the IT Department.

- D. Passwords. Passwords are confidential and should be treated as such. Employees and Commissioners should not disclose their passwords to others and should change them periodically. Any unauthorized access to another employee's e-mail account, data files and voice mail is prohibited and may result in disciplinary action up to and including termination.
  
- E. Cybersecurity. All RMLD employees and Commissioners shall comply with North American Electric Reliability Corporation (NERC) cybersecurity requirements as directed by the General Manager or the IT Department.

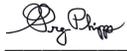
**POLICY 29: IDENTITY THEFT PREVENTION  
AND DATA SECURITY**

# RMLD Policy No. 29

## IDENTITY THEFT PREVENTION AND DATA SECURITY POLICY

Revision No. 2

Commission Vote Date 10/20/2022



Oct 24, 2022

10/20/2025

Interim General Manager/Date

Next Review Date

### I. PURPOSE

The purpose of this policy is to require the development, implementation, and maintenance of a written Identity Theft prevention program (“Program”) including the data security measures to protect private and sensitive information. With the rise of Identity Theft, the Reading Municipal Light Department (“RMLD”) recognizes the importance of safeguarding the private information of its customers and employees. Accordingly, RMLD shall establish and maintain a Program designed to detect, prevent, and mitigate Identity Theft consistent with standards and guidelines established by federal and Massachusetts Red Flag Rules. This policy does not replace but supplements other policies, procedures or practices developed and implemented by RMLD to prevent data security breaches and to comply with the requirements and standards of the North American Electric Reliability Corporation (“NERC”) and other authorities.

### II. DEFINITIONS

A. Covered Account. A “Covered Account” includes:

1. An account that a financial institution or creditor offers or maintains, primarily for personal, family, or household purposes, e.g., residential accounts that involve or are designed to permit multiple payments or transactions, such as a credit card account, mortgage loan, automobile loan, margin account, cell phone account, utility account, checking account, or savings account; and
2. Any other account, e.g., business accounts, that the financial institution or creditor offers or maintains for which there is a reasonably foreseeable risk to customers or to the safety and soundness of the financial institution or creditor from Identity Theft, including financial, operational, compliance, reputation, or litigation risks.

B. Identifying Information. “Identifying Information”, commonly referred to as PII(personal identifiable information), is defined as a name or number that may be used, alone or in conjunction with any other information, to identify a specific

person, including name, address, telephone number, social security number, date of birth, government issued driver's license or identification number, alien registration number, government passport number, employer or tax identification number, unique electronic identification number or Internet Protocol (IP) address  
Personal Identifiable Information (PII) is defined as:

Any representation of information that permits the identity of an individual to whom the information applies to be reasonably inferred by either direct or indirect means. Further, PII is defined as information: (i) that directly identifies an individual (e.g., name, address, social security number or other identifying number or code, telephone number, email address, etc.) or (ii) by which an agency intends to identify specific individuals in conjunction with other data elements, i.e., indirect identification. (These data elements may include a combination of gender, race, birth date, geographic indicator, and other descriptors). Additionally, information permitting the physical or online contacting of a specific individual is the same as personally identifiable information. This information can be maintained in either paper, electronic or other media.

- C. Identity Theft. "Identity Theft" means fraud committed using the "Identifying Information" of another person.
- D. Program Administrator. The RMLD employee responsible for the development, implementation and oversight of the Program, as defined in Section I.
- E. Red Flag(s). A "Red Flag" is a pattern, practice, or specific activity that indicates the possible existence of Identity Theft. Examples of Red Flags include but are not limited to:
  - Inconsistencies in Identifying Information and other information available to RMLD;
  - Identifying Information that appears altered or forged or photos that do not match or confirm identity of holder;
  - Warnings or notices from credit reporting agencies or alerts received from other sources; and
  - Suspicious activity regarding the customer's account.
- F. Service Provider. For purposes of this policy, Service Provider means a person or business entity that provides a service directly to RMLD relating to or connection with a Covered Account.

### III RESPONSIBILITIES

- A. RMLD Board of Commissioners. The RMLD Board of Commissioners shall be responsible to ensure that the Program is being maintained via an annual update from the General Manager and/or the Director of IT.

B. General Manager. The General Manager shall have the following responsibilities:

1. Establishing Red Flags Rule compliance obligations and any other state and federal requirements applicable to the protection of Personal Identifiable Information or prevention of Identity Theft. Responsible for overall implementation of this policy.
2. Ensuring that RMLD agreements with Service Providers include appropriate terms to protect and mitigate Identity Theft and to comply with Red Flags rules and data security standards and requirements and to protect RMLD from liability; and
3. Overall responsibility for the development and implementation of the Program.
4. Monitoring compliance with data security measures and recommending appropriate action, including discipline of RMLD employees that fail to comply with Program requirements.

C. Director of Information Technology. The Director of Information Technology in coordination with RMLD senior Management shall serve as the Program Administrator and shall be responsible for:

1. Developing, implementing, and updating data security measures and other Program requirements applicable to RMLD information systems.
2. Recommending the retention of and overseeing third party service providers providing electronic data and security services.
3. Developing customer service and account procedures and practices for identifying and responding to Red Flags for both new and existing Covered Accounts and preventing and investigating instances of Identity Theft;
4. Periodically reviewing and updating the Program to address changes or risks;
5. Training RMLD customer facing and IT staff regarding the detection of Red Flags and their duties relative to the implementation of the Program;

6. Preparing and/or overseeing the preparation of reports, that include among other things, an evaluation of the effectiveness of the Program, identification of any new threats or risks, identification of any significant incidents and responses, recommendations for changes to the Program, and such other information requested by the General Manager; and
  7. Complying with reporting requirements for data breaches (e.g., reporting data breaches to proper authorities, such as the Massachusetts Office of Consumer Affairs and Business Regulation and the Attorney General's Office).
- D. RMLD Staff. The success of the Program depends on the cooperation and efforts of all RMLD staff. All RMLD staff are responsible for adhering to the Program requirements and procedures. Violation of procedures and protocols may result in corrective or disciplinary action. In addition, RMLD staff may be required to participate in surveys developed by the Program Administrator or Director of IT to evaluate the effectiveness of the Program with respect to opening accounts, existing accounts, service provider arrangements, personnel records, significant incidents involving Identity Theft and responses, data security, and recommendations for changes to the Program.

# **POLICY 30: GHG REDUCTION**

**RMLD Policy No. 30**  
**NON-CARBON AND GREENHOUSE GAS (GHG) REDUCTION**  
**REGARDING POWER SUPPLY PROCUREMENT**

**Revision No. 2**

Commission Vote Date: 2024-01-31



02/12/2024

General Manager/Date

Next Review Date: 2027-01-31

**I. PURPOSE**

- A. To establish general policy guidelines to aggressively pursue practical and cost-effective non-carbon and GHG reduced power supply opportunities that balance RMLD's customers' priorities, its franchise obligations, reliability, power supply risk mitigation, and financial risk mitigation, while complying with applicable laws and regulations
- B. To provide an opportunity for customers who wish to go above and beyond RMLD's non-carbon energy goals and requirements.

**II. POLICY ELEMENTS**

- A. RMLD shall comply with all laws applicable to Municipal Light Plants, pertaining to renewable, non-carbon, and GHG reduction power procurement requirements, including 2021 Climate Bill requirements, while balancing its customer priorities and franchise obligations. RMLD shall strive to make incremental changes on an annual basis, especially certificate retirement targets, where possible, to mitigate potential rate shocks. 2021 Climate Bill requirements that are applicable as of the date of this Policy are attached hereto as Attachment 1.
- B. RMLD remains committed to supporting the Commonwealth's goals for Green House Gas (GHG) reduction and electrification, in the context of RMLD's customer obligations and RMLD's Mission.
- C. RMLD will continue to improve its utility operations, including power supply, to support the Commonwealth's goals of reducing GHG emissions. RMLD has a unique mix of location, geography, and demographics. Given this context, RMLD will apply its unique capabilities to proactively explore and implement new programs, business models, and technologies to contribute to the reduction of GHG in its operation as an electric utility.
- D. The RMLD shall develop the Renewable Choice Program, as an option available to all ratepayers. The Renewable Choice Program will allow RMLD customers to purchase "blocks" of Class 1 energy certificates ("RECs") for an additional monthly fee. Customer REC purchases (for subsequent retirement) through the Renewable Choice Program are above and beyond RMLD's other GHG reduction power procurement goals and requirements and are intended to help customers who have stated that they would be willing to pay more.

- E. In order to balance RMLD's customer priorities and franchise obligations with compliance with all applicable laws pertaining to non-carbon and GHG reduction power procurement requirements, the General Manager may retain or may market certificates as she/he deems to be in the best interest of the RMLD and in compliance with all applicable law and Policy 19.
  
- F. If applicable laws pertaining to non-carbon and GHG reduction power procurement change after the effective date of this Policy, the General Manager will review such changes and report to the RMLD Board on such changes and shall present for review and comment by the Board a plan for compliance with such changes that is consistent with RMLD's customer priorities and franchise obligations.

## RMLD POLICY 30

### ATTACHMENT 1 – Update 2

ROADMAP to Net-Zero Carbon by 2050  
(a.k.a., S.9 or MLP GGES Legislation, amending chapter 25A)  
Legislation effective (March 2021)

<b><i>Provision</i></b>	<b><i>Key Elements</i></b>
Goals	This Legislation sets a minimum percentage of non-carbon emitting energy sold by MLPs (retail sales): 2030 - 50% non-carbon emitting energy sales 2040 - 75% non-carbon emitting energy sales 2050 - net-zero greenhouse gas emissions energy sales
Sources	In this Legislation, “non-carbon emitting” is defined as energy generated from: (1) solar photovoltaic; (2) solar thermal electric; (3) hydroelectric, including imports (4) nuclear; (5) marine or hydrokinetic energy; (6) geothermal energy; (7) landfill methane; (8) anaerobic digester gas; (9) wind energy; (10) biomass (The RMLD Board of Commissioners approves the exclusion of future wood burning biomass as an acceptable non-carbon or greenhouse gas reduction resource of generation under this Policy); and (11) any other generation qualifying as special cases per this Legislation. Note that RMLD will explore other generation technologies that are compliant with MGL CH 25A, Section 11f3/4.
Make / Buy	MLPs may either purchase or generate non-carbon emitting energy. Existing energy supply contracts that meet Legislation requirements count as compliance.
Certificates	Qualification requires the MLP retirement of certificates for these energy retail sales. These certificates consist of non-carbon energy credits, emission-free energy certificates, or other evidentiary non-carbon emitting documentation.
Reporting / Alternative Compliance Payment	MLPs shall file an annual report demonstrating compliance. If an MLP fails compliance, it shall make an alternative compliance payment (ACP). This ACP shall not exceed \$0.010 / kWh. This ACP shall be deposited into an MLP maintained and administered fund and shall be used by the MLP to fund greenhouse gas emissions reduction and related programs in its service territory. RMLD shall establish this fund effective the date of the Legislation.

**RMLD POLICY 30**

ATTACHMENT 2 – Update History of Attachment 1

<i>Update</i>	<i>Effective Date</i>	<i>Exclusion/Change</i>	<i>Description</i>	<i>Recommended by General Manager and approved by BOC and CAB (vote and date)</i>
0	02/24/2021	New	Attachment 1 created to reflect MLP GGES pending Legislation that will apply to MLPs.	02/24/2021
1	02/24/2021	Exclusion	Insert under Sources Provision, Item 10, next to the word biomass (The RMLD Board of Commissioners approves the exclusion of future wood burning biomass as an acceptable non-carbon or greenhouse gas reduction resource of generation under this Policy)	02/24/2021
2	01/31/2024	Exclusion	Moved responsibilities to other policies (primarily Policy 19); streamlined remaining text; added support of Commonwealth’s GHG goals.	01/31/2024

## **POLICY 32: PUBLIC COMMENT POLICY**

**RMLD Policy No. 32**  
**PUBLIC COMMENT POLICY**

**Revision No. 0**

Commission Vote Date: 2024-05-23



17/06/24

Next Review Date: 2027-05-23

**I. PURPOSE**

To establish a policy of the RMLD Board of Commissioners (Board) with regard to members of the public wishing to speak at meetings of the Board.

**II. POLICY**

The Board welcomes the expression of information, concerns, and opinions from those attending Board meetings that are related to matters within the Board's jurisdiction. The Board hereby adopts this policy: to provide members of the public a fair opportunity to speak; to ensure compliance with the Massachusetts Open Meeting Law; and to facilitate the orderly conduct of the Board's meetings.

**III. APPLICABILITY**

The policy applies to all persons wishing to speak at a Board meeting. The Board, at the Chair's discretion, may provide the following opportunities to speak during a meeting:

- (1) during a "Public Comments" period which may be included on the meeting agenda;
- (2) at designated periods for comment on topics identified on the Board's agenda.

**IV. PROCEDURES**

1. Scheduling of "Public Comments" periods shall be at the Chair's discretion. "Public Comments" is a limited forum to comment on topics within the Board's jurisdiction and not otherwise listed on the Board's agenda. The Board may not respond to comments made during "Public Comment" periods. Depending upon the nature of the comment the Chair may have the matter referred to the General Manager following the meeting.
2. The Board may, at the discretion of the Chair, allow public comment periods to address topics identified on the Board's agenda. Comments during such periods are limited to those related to the specific topic under deliberation and shall be subject to the limitations imposed by this Policy.
3. All comments shall be addressed through the Chair or acting Chair of the Board.
4. The total "Public Comments" period shall not exceed fifteen (15) minutes. Each speaker shall not exceed three (3) minutes. The Chair will curtail verbal comments

exceeding the allotted time. Once a speaker has offered comment, they shall not be recognized a second time during the same "Public Comments" period. The Public Comments period may be curtailed if a Board meeting would otherwise continue later than 11:15 PM.

5. Members of the public are encouraged to keep their comments respectful, despite any differences of opinion on the matters discussed. However, the Board cannot demand that persons attending meetings or participating in public comment be civil to one another, the RMLD or the members of the Board.
6. Disruptive conduct and engaging in other unprotected speech, including, but not limited to, the following, may be grounds for the Chair to curtail speech and take other action as appropriate:
  - a. Speaking without being recognized;
  - b. Continuing to speak after the Chair has curtailed additional verbal comment;
  - c. Interrupting a recognized speaker;
  - d. Speaking about matters not within the jurisdiction of the Board;
  - e. Speaking over a recognized speaker;
  - f. Using physical props or a physical presence of the member of the public to block other members of the public or the Board from viewing presentations or the recognized speaker;
  - g. Engaging in conversations with others while another is speaking;
  - h. Making threats of violence;
  - i. Making comments inciting imminent lawlessness.
7. The Chair shall, in accordance with the requirements of the Open Meeting Law, provide at least one verbal warning to the speaker if he/she engages in disruptive conduct. If, after at least one verbal warning, the speaker persists in engaging in disruptive conduct, the Chair may end the speaker's privilege to address the meeting and ask the speaker to withdraw from the meeting. If the speaker does not withdraw, the Chair may authorize a constable or other officer to remove the speaker from the meeting. This same procedure shall apply to members of the public in attendance at the meeting who have not been recognized by the Chair to speak.