

## READING MUNICIPAL LIGHT DEPARTMENT POLICY INDEX – REVISED MARCH 9, 2021

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**RMLD Policy No. 1  
COMMUNITY RELATIONS POLICY**

**Revision No. 3**

1-31-17

Commission Vote Date

C. J. O'Brien 1-31-17  
General Manager/Date

1.31.20

Next Review Date

**I. PURPOSE AND OBJECTIVES**

- A. To establish general guidelines governing communications between the Reading Municipal Light Department (RMLD) and the communities in which the RMLD provides electric service.
- B. To establish general guidelines promoting positive community relations between the RMLD and the communities served by the RMLD.
- C. To ensure that the RMLD communicates in a positive and beneficial manner in order to be a valuable resource and a responsible citizen to the communities served by the RMLD.
- D. To ensure that the RMLD communicates in such a way to earn the community's trust by conducting its business with integrity in an open, responsible, professional and sound manner through participation in community affairs.
- E. To provide services and information that support customers' needs and concerns.
- F. To facilitate communications by reviewing communication programs and events for clarity of purpose and appropriateness for audiences identified.
- G. This policy recognizes that the specific processes to achieve these purposes will vary depending on the particular circumstances.

**II. RESPONSIBILITIES**

- A. Reading Municipal Light Board (RMLB)
  - 1. Approve this policy and all amendments thereto.
  - 2. Provide feedback regarding RMLD community relations programs upon presentation by the General Manager.

B. General Manager

1. Overall implementation of this policy.
2. Oversight and approval authority as set forth in this policy.
3. Make presentation of programs to the RMLB.
4. Make reports to the RMLB regarding activities under this policy as may be requested by the RMLB from time to time.

C. Communications Manager

1. Under the direction of the Director of Integrated Resources, the Communications Manager will assist the General Manager in implementing this policy and associated activities.
2. Provide specific communications and activities between the communities within the RMLD's service territory.
3. Evaluate and oversee the work performed by outside community relations firms and individual contractors in the communications field.
4. Develop and implement a communications plan that meets the needs of the RMLD within a changing electric utility industry.
5. Prepare a proposed program and advertising budget and ensure that expenses comply with limits set forth in the approved budget or this policy.

III. CHARITABLE CONTRIBUTIONS AND GIFTS

A. Purpose

The RMLD will follow the policies and guidelines of the Department of Public Utilities (DPU) regarding charitable contributions and gift giving. The DPU policy is as follows:

Department [DPU] policy is to exclude charitable contributions from the cost of service in the absence of compelling evidence that a utility's charitable giving is reasonable and provides a clear benefit to ratepayers that is essential to serving them.

*See, e.g., Fitchburg Gas & Electric Light Company, DTE 98-51 at 37 (1998).*

B. Prohibitions on Charitable Contributions

As a general rule, charitable contributions and gift giving will not provide a clear benefit to ratepayers that are essential in providing electric service to them. Accordingly, charitable contributions and gift giving are prohibited.

C. Exceptions

This policy does not prohibit RMLD from contributing funds to the towns that it serves in accordance with the 20-year agreement or DPU principles.

IV. ADVERTISING

A. Purpose and Intent

It is the intent of this policy that RMLD will follow the same advertising rules and regulations applicable to investor-owned utilities as set forth in G.L. c. 164, §33A and as may be interpreted by the DPU. Accordingly, RMLD's advertising shall be only for informational and educational purposes relating to RMLD's services or the use of electricity. RMLD shall not engage in promotional or political advertising proscribed by G.L. c. 164, §33A, nor shall RMLD endorse or subsidize any individuals, groups or organizations engaged in promotional or image advertising.

B. Definitions

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

1. Advertising

"Advertising", the commercial use by RMLD of any media, including newspaper, printed matter, radio, and television, in order to transmit a message to a substantial number of members of the public or to RMLD's customers.

2. Political Advertising

"Political advertising", any advertising for the purpose of influencing public opinion with respect to legislative, administrative, or electoral matters (whether federal, state, or local), or with respect to any controversial issue of public importance.

3. Promotional Advertising

"Promotional advertising", any advertising for the purpose of encouraging any person to select or use the service or additional service

of RMLD or the selection or installation of any appliance or equipment designed to electrical service.

C. Permitted Informational and Educational Advertising

RMLD may engage in advertising to convey the following information:

1. RMLD contact information and hours of operation;
2. RMLD's Rate Schedules and Terms and Conditions of Service;
3. Location of local pay stations;
4. RMLD services or products, which may be subject to direct competition;
5. Electrical safety and safety measures;
6. Energy conservation and or other information about how to use RMLD's services in a cost-efficient manner;
7. Service interruptions, repair and maintenance activities, and emergency conditions;
8. Peak load reduction information;
9. Information that is required by federal or state laws or regulations to be provided to the public through a media source (*e.g.*, bids, meeting notices, rate changes); and
10. Employment opportunities at RMLD.

All other advertising shall be subject to the express approval of the General Manager, which shall be in accordance with this policy.

D. Permitted Advertising Sources

1. RMLD's newsletters;
2. RMLD's website;
3. Local community newspapers;
4. Local community television;
5. Central Register;

6. Local community maps;
7. Trade magazines or journals or online sources as may be required by RMLD's disposal policies;
8. Any specific source that is expressly required by law, regulation or directive of an administrative agency (e.g., a newspaper of general circulation to comply with notice requirements in an administrative agency proceeding);
9. Annual directories and brochures of local civic or community organizations provided that: (a) advertising or sponsorship is not being offered as part of a fundraising campaign or program by the organization or group, and (b) subject to the limitations set forth in Section IV(E)(2); and
10. The use of any other media sources for permitted advertising shall require the prior approval of the General Manager.

E. Budget and Expenses

1. The Communications Manager shall prepare an annual advertising budget. The budget shall be subject to the approval of the General Manager and the RMLB.
2. All permitted advertising placed in civic or community organization brochures within the RMLD's service communities shall be capped at \$100 per organization, \$2,000 per year in the aggregate. All such advertisements shall be subject to the prior approval by the General Manager.

V. SERVICE TO TOWNS WITHIN RMLD'S SERVICE TERRITORY

RMLD may provide services at no charge or at a reduced charge to the municipalities within its service territory only to the extent permitted pursuant to applicable regulatory, ratemaking and accounting principles. At all times, the provision of any such services to the municipalities shall be subordinate to RMLD's obligation to provide reliable electric service to its ratepayers. In addition, the following requirements shall apply:

- A. The municipality shall make a written request to RMLD for the services, which shall be subject to the General Manager's approval. In approving the services, the General Manager shall consider the needs of RMLD and the burdens on RMLD's resources or operations. RMLD's provision of the services at all times shall be contingent upon the availability of resources and personnel, and shall be subordinate to RMLD's obligation to provide reliable electric services to its ratepayers. RMLD shall not assume any legal obligation to provide the services



and the services may be delayed or canceled at any time, without liability, if RMLD determines that it lacks the requisite resources to provide the services.

- B. The municipality shall agree in writing indemnify RMLD for personal injuries and/or property damages arising out of the provision of the services.
- C. The municipality shall reimburse RMLD for the cost of all consumable supplies and materials.
- D. All compensation to employees and other expenses associated with the services shall be paid by RMLD's below-the-line earnings, unless such costs may be deemed to be operating expenses in accordance with applicable DPU accounting and ratemaking principles.

#### VI. BUSINESS AND CIVIC ORGANIZATIONS

- A. RMLD will hold membership in the Rotary Internationals and Chambers of Commerce located in the communities within RMLD's service territory in an effort to be responsive to the local communities and maintain a communication link between the RMLD and its customers. Membership in other local business or civic organizations shall be subject to the General Manager's prior approval.
- B. Only dues, attendance fees to pre-approved functions, and permitted advertising in civic membership directories and brochures will be funded by the RMLD.
- C. RMLD employee-members may attend pre-approved functions that are considered a mandatory part of membership and which benefits RMLD's services to its customers. Any clarification on whether attendance is permitted under this policy shall be directed to the General Manager for a final decision.
- D. Duties performed as part of RMLD's membership in the respective organization will be considered a part of the employee's employment responsibilities. When such duties occur outside of the employee's normal working hours, such employee will receive compensation pay in accordance with prevailing collective bargaining/employment contracts and personnel policies, and upon review and approval by the General Manager. Prior to performing any duties as part of such membership(s), the employee shall obtain pre-approval from the General Manager or his/her designee for the amount of time that may be spent on such duties and the compensation that such employee will receive for the pre-approved amount of time.

#### VII. COMMUNITY RELATIONS PROGRAMS

- A. The Integrated Resources Division shall be responsible for developing and implementing 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, youth organizations, real estate brokers, etc.

- B. Permitted Community Relations Programs shall be limited to the topics set forth in Section IV (C) relating to Informational and Educational Advertising, unless the General Manager provides his/her prior approval and the program meets all other requirements of this policy. Paragraph D of this Section VII includes a listing of specific Community Relations Programs that are permitted under this policy. Depending on customer needs, all programs may not be done each and every year, and programs may be added, discontinued or periodically redesigned to meet the changing needs of the RMLD.
- C. The Community Relations Programs will be included in the annual budget of the Community Relations Department to be approved by both the General Manager and the RMLB.
- D. The following is a listing of approved Community Relations programs and a brief description of each. A more in-depth explanation of each program may be obtained through the Integrated Resource Division. Programs listed are subject to annual budget approval and time availability within each fiscal year. Community relations programs shall use the RMLD website as the preferred source of information in order to reduce paper use.
1. Real Estate Brokers  
Provide RMLD information such as rate schedules, conservation brochures, RMLD's Terms & Conditions, and RMLD program listing to local real estate brokers for distribution to new residents.
  2. RMLD In The Neighborhood  
Free energy efficient light bulb and information packet filled with pertinent information relevant to the RMLD and the local communities. New customers must come to the RMLD to receive their packet.
  3. RMLD's Library  
Instructional videotapes, books, and CDs on electrical and conservation issues will be available at the RMLD for customers to sign out.
  4. Senior Citizens  
Open houses and/or visits to local senior citizens centers offering safety and educational information to the elderly.
  5. Kids & Electrical Safety  
RMLD will hold an annual *Electrical Safety Art* contest for elementary grade students as part of the "Community Power Week" program.



6. Schools and Electrical Safety

RMLD will provide electrical safety and conservation activity books to an early elementary grade at our local schools.

7. Students and Basic Electricity

The RMLD will provide a representative to work with an elementary grade and potentially with a high school grade to help educate the students on basic electricity.

8. Scouts Program or similar program

The RMLD's Girl/Boy Scouts or similar program offers leaders the opportunity to bring the scout troops to the RMLD for a tour and electrical educational presentation.

9. Informational Booths

RMLD may lease a booth at local events, such as business expos, to provide information regarding RMLD's services, and education on electricity and electrical safety matters.

10. Cable Television

RMLD may make use of the free access to the local cable stations to promote electrical safety and education and storm readiness.

11. Town Days

RMLD may participate in community-served Town days, such as Truck Day and other community-served sponsored outings in which electrical safety equipment or technology will be demonstrated.

12. American Public Power Association Open House

RMLD may hold an open house to provide opportunities to learn about RMLD operations, programs and electric safety.

## **RMLD Policy No. 2 SURPLUS MATERIAL**

**Revision No. 5**

Commission Vote Date 7-19-2018

C. O. Owen 7.19.18  
General Manager/Date

7-19-2021  
Next Review Date

### **I. PURPOSE**

The purpose of this Policy No. 2 SURPLUS MATERIAL is to provide administrative controls and procedures for use by the RMLD in disposing of surplus property to maximize the value of the disposal of such surplus property to RMLD and its ratepayers. 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 which is either:

- (a) In excess of RMLD's needs due to changes in operations or personnel or other changes in 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 determine the fair market value ("FMV") of such property based on a minimum of two (2) relevant and comparable industry sources. To the extent two suitable sources are not available due to the unique nature of the item(s), RMLD will utilize the best available 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 similar to 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 takes into account 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 in excess of \$500 but less than \$10,000; and
- (4) Nominal Value – property having a FMV of \$500 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 in order 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 particular circumstances and costs of disposal. RMLD will endeavor to minimize the cost of disposal of scrap to the extent reasonably possible.
- C. Right of First Refusal. RMLD will offer surplus property, with the exception of electric utility rated commercial vehicles, electric utility specific property, and scrap having no tangible resale or salvage value, to the Towns of Reading, North Reading, Wilmington, and Lynnfield (collectively "Towns") at FMV before offering the property to the general public.

Vehicles. With the exception of electric utility rated commercial vehicles and electric utility specific rolling stock, vehicles will be offered to the Towns at FMV on a rotational basis. The rotational sequence is Reading, North Reading, Wilmington, and Lynnfield. RMLD will notify the Towns in writing. The Towns will have 10 business days from the date of RMLD's notice to submit a notice of intent to purchase the property before RMLD offers the property to the general public. Notice of intent to purchase shall be made in writing and signed by an officer with authority to approve the purchase. If more than one town provides RMLD with a notice of intent to purchase the property at the same time, preference will be given based on the rotational sequence. If no town has provided RMLD with a written notice of intent within the 10-day period, RMLD may proceed to offer the property to the general public

pursuant to applicable procedures.

Other Property. RMLD will offer other surplus property to the Towns at FMV on a first come, first served basis. RMLD will notify the Towns in writing. The Towns will have 10 business days from the date of RMLD's notice to submit a notice of intent to purchase the property before RMLD offers the property to the general public. Notice of intent to purchase shall be made in writing and signed by an officer with authority to approve the purchase. If more than one town provides RMLD with a notice of intent to purchase the property at the same time, preference will be given based on the rotational sequence. If no town has provided RMLD with a written notice of intent within the 10-business day period, RMLD may proceed to offer the property to the general public pursuant to applicable procedures.

- D. Substantial Value. Property determined to have Substantial Value only shall be disposed of in compliance with G.L. c. 30B requirements and such supplemental 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 dispose of the property through the established market or by trade-in if RMLD determines that it is advantageous 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 shall be used. RMLD shall evaluate whether a written competitive bid process or auction, including an online auction (*i.e.*, EBay or similar web-based listing), presents the most advantageous approach given the property to be sold. 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.

- E. Moderate Value. Property of Moderate Value shall be sold through the best available means in order 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.

- F. 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 COMMISSIONER MEMBERS AND BOTH OF THEIR IMMEDIATE FAMILIES.**

Consistent with G.L. c. 268A, § 20, RMLD employees and RMLD Board of Commissioner members and both of 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. The General Manager shall make reports monthly on the disposal of surplus having Substantial Value to the RMLD Board of Commissioners.

**RMLD Policy No. 3  
SAFETY REVIEW**

**Revision No. 2**

  
General Manager/Date

April 22, 2021  
Commission Vote Date

April 2024  
Next Review Date

**I. PURPOSE**

The purpose of this policy is to establish a Safety Review Team that is responsible for developing, implementing and monitoring a safety program (as further described below), implementing and monitoring best utility safety practices and reviewing and resolving safety-related matters to promote an environment that is safe for RMLD employees, the general public and RMLD assets at all Reading Municipal Light Department (“RMLD”) asset locations, including the RMLD electrical system. Nothing in this policy precludes RMLD from developing and implementing safety rules and regulations and enforcing such rules and regulations without following the safety review process set forth in this policy.

**II. SAFETY REVIEW TEAM**

**A. Safety Review Team**

The General Manager will establish and maintain a Safety Review Team. Safety Review Team activities are internal staff activities and are not subject to open meeting laws.

**B. Safety Program**

The Safety Review Team shall develop, implement and monitor a program of safety to promote and to help ensure the safety and well-being of each RMLD employee, its assets and the public, through quality training and best utility safety practices.

**C. Composition**

The Safety Review Team will consist of a minimum of one representative from each RMLD division. The Safety Review Team may consist of both management and non-management employees. Additional staff and outside consultants may participate at the General Manager’s discretion. The Human Resources Manager shall be responsible for all administrative duties associated with the Safety Review Team and may serve on the Team at the General Manager’s discretion.

D. Designation of Participants

Unless otherwise specified in an employee's job description, the General Manager will designate employees to serve on the Safety Review Team. RMLD employees are encouraged to express their interest in participating to their immediate supervisors. Department managers and supervisors may make recommendations.

E. Responsibilities of the Safety Review Team

1. Implementing and monitoring safety protocols based on industry standards, such as the American Public Power Association Safety Manual, OSHA, and National Electrical Safety Code standards, and any other safety rules, regulations, or requirements adopted by RMLD;
2. Reviewing all safety reports;
3. Receiving and reviewing employee safety concerns and suggestions;
4. Visiting and inspecting all RMLD facilities for safety issues no less than annually;
5. Making recommendations to the General Manager or his/her designee regarding the resolution of safety-related complaints, the adoption of safety measures suggested by employees, and recommending repairs, replacements, improvements, and/or modifications to RMLD's facilities, procedures, or practices to improve employee and public safety;
6. Ensuring that safety-related actions and measures recommended by the Safety Review Team and adopted by RMLD have been implemented, including but not limited to the inspection and follow up of facility repairs and replacements;
7. Reviewing the circumstances and reports on employee accidents and accidents involving RMLD vehicles; and
8. Reviewing incident trends at RMLD and within the utility industry.

III. PROCEDURES

A. Frequency of Meetings

The Safety Review Team will meet a minimum of once per quarter, and in response to any safety-related suggestions made by union members or such other times as requested by the General Manager. Each member will receive a written agenda prior to the meeting.

B. Meeting Procedures

The members of the Safety Review Team may establish procedures governing the conduct of the meetings.

C. When Held

Meetings will be held during normal working hours and will be considered a regularly scheduled job assignment.

D. Records

The Human Resources Manager or the General Manager's designee shall be responsible for preparing and maintaining written notes of meetings. The meeting notes and any accompanying materials will be distributed to all Safety Review Team members and the General Manager prior to the next scheduled meeting. The meeting notes will also be posted within a reasonable period of time for all employees.

E. Majority

RMLD endeavors to conduct Safety Team Meetings with a minimum of a majority of the members present. When it is impracticable to conduct such meeting with a majority to meet any required deadlines, the meeting may be held with less than a majority or the General Manager or his/her designee may appoint another employee from the same department to serve on the Safety Review Team on a temporary basis in the member's absence. A quorum of the Safety Review Team members that are present at a meeting will be required to take action.

F. Recommendations and Approvals

Recommendations will be submitted to the General Manager upon a simple majority vote of the members present. All recommendations are subject to the review and approval of the General Manager or his/her designee. The General Manager may request any reports or information as he/she deems necessary from time to time to resolve any safety-related matters.

## RMLD Policy No. 4 SMOKING

Revision No. 6



General Manager/Date

March 18, 2021

Commission Vote Date

March 2024

Next Review Date

### I. PURPOSE

The purpose of this policy is to implement state and local laws and regulations governing smoke-free workplaces, to clarify smoking restrictions at RMLD jobsites, and to advise employees of their duties, the consequences of violations, and available assistance.

### II. RESPONSIBILITIES

#### A. General Manager

Responsible for overall implementation of this policy and compliance with state and local laws, M.G.L. c. 270, § 22 and Town of Reading, Massachusetts, Community Services Health, Health Regulations, Section 25 – Prohibiting Smoking in Workplaces and Public Places.

#### B. Other RMLD Management

Responsible for ensuring that employees under their supervision comply with this policy and ensuring that visitors, contractors, vendors and other persons in their presence or under their direction or guidance do not smoke in prohibited areas in violation of this policy.

### III. POLICY ELEMENTS

#### A. Background and Purpose

The Commonwealth of Massachusetts and the Town of Reading have enacted laws and regulations providing for a smoke-free workplace. These efforts are intended to protect workers from health hazards resulting from exposure to secondhand smoke. Secondhand smoke is a Class A carcinogen as determined by the U.S. Environmental Protection Agency. The Surgeon General warns that secondhand smoke is dangerous, even if it cannot be smelled. Opening a window, sitting in a separate area, or using air filters or fans do not eliminate secondhand smoke. The Surgeon General also has concluded that there is no risk-free level of exposure. The Center for Disease Control and Prevention (“CDC”) also urges people with an increased risk of coronary heart disease or known coronary artery disease to avoid all indoor environments that permit smoking.

B. Adoption of State and Local 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 smoking in the workplace and RMLD vehicles.

C. Additional Requirements

In addition to the requirements imposed by state and local laws, RMLD prohibits the use of e-cigarettes at the workplace and RMLD vehicles as well as smoking of any kind at all jobsites, including outdoor areas where smoke cannot 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. 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. Smoking on RMLD property is only permitted outdoors and in clearly designated smoking areas.

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 smoking. RMLD urges smokers to contact their healthcare providers, health insurance plans, the Massachusetts Smokers' Helpline, or the Wilmington Family Counseling Service, Inc. (Employee Assistance Program) for free or low-cost support and options to quit smoking. In addition, employees may visit <http://makesmokinghistory.org> for more information.

RMLD will make reasonable efforts to accommodate requests to participate in smoking cessation programs or smoking 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 will be used. Although RMLD generally supports employees who seek to quit smoking, the employee may not be entitled to protections under the Family and Medical Leave Act ("FMLA"), Americans with Disabilities Act ("ADA"), or similar laws.



**RMLD Policy No. 5  
TRAVEL POLICY (Overnight/Day Travel)**

Revision No.8

Commission Vote Date JUNE 25, 2015

  
General Manager/Date

JUNE 25, 2018  
Next Review Date

**I. PURPOSE**

- A. To establish overall administrative controls for reporting employees' expenses and obtaining approval for overnight/day travel.

Only "reasonable" expenses will be reimbursed. Section III of this policy provides guidelines for "reasonable" travel. The Accounting Manager (or designee) will refer expenses that exceed Section III guidelines to the General Manager for final approval. The Accounting Manager is encouraged to meet directly with employees whose expenses exceed these guidelines and to resolve on the side of reasonableness and fairness to the employee. Should the Accounting Manager have questions on any employee's expense report that is not answered to his satisfaction, he/she then will report to the General Manager with those concerns. The General Manager shall report any unresolved policy abnormalities by the Accounting Manager to the Reading Municipal Light Board of Commissioners at its next scheduled meeting.

**II. RESPONSIBILITIES**

A. Accounting Manager

1. Responsible for periodic review of this policy and attachments to ensure continuing compliance with RMLD's requirements as well as applicable state and federal laws. Recommendations are to be made to the General Manager.
2. Responsible for reviewing all expense account reports to ensure compliance with this policy. Responsible for making decisions on reimbursements under this policy, subject to review and final approval by the General Manager.
3. Responsible for making reports of reimbursements to the General Manager as may be requested by the General Manager from time to time.

B. Supervisor of Employee Seeking Reimbursement

1. Determines justification for the employee's travel.
2. Responsible for implementing processes to ensure that any RMLD employee who may incur expenses subject to this policy is aware of the policy and all its provisions.
3. Follow up with employee to make sure signed expense report and appropriate receipts have been forwarded to Accounting in a timely manner as required in Section III.R. "Expense Report Processing".

C. General Manager

1. Retains final decision making authority concerning justification for travel of subordinate employees.



2. Responsible for reviewing decisions made by Accounting Manager on reimbursements. If the General Manager overrules a decision of the Accounting Manager, the General Manager shall make a report to the Reading Municipal Light Board at the next meeting of the Board.

D. Reading Municipal Light Board

1. Responsible for determining the justification for any General Manager travel authorization.
2. Responsible for reviewing any discrepancies and decisions made by the Accounting Manager concerning reimbursements involving the General Manager.

### III. GENERAL GUIDELINES

A. Overnight Travel

1. Employees may request travel for purposes of meeting their Career Development Plan or as determined by their supervisor.
2. All requests must be submitted to the Division Manager in the format of a completed top section of the Travel Authorization Form, for consideration in the budget process for the appropriate fiscal year of travel.
3. Employees will be notified if their requests have been tentatively authorized as part of the budget process, however this does not guarantee that their Travel Authorization Form will receive final approval. Circumstances such as funding, staffing, etc., could impact final approval. The employee, RMLD Board member or CAB member should process their request post budget process, for final approval signatures.
4. No travel arrangements or expenditures should be made by or for any employee, RMLD Board of Commissioner, or Citizens' Advisory Board member, until the Travel Authorization Form has been approved. A computerized form is located in the RMLD SharePoint. Forms are also available from the Executive Assistant. All travel arrangements will be made in accordance with the approved Travel Authorization Form. The Employee is responsible for completing the necessary Purchase Requisition. In the case of the RMLD Board Member or CAB Member, the Executive Assistant is responsible for completing the necessary Purchase Requisition. The applicable Purchase Order will not be approved without an approved Travel Authorization Form attached.
5. The Executive Assistant is designated by the General Manager to make all RMLD travel arrangements, to ensure that the Travel Authorization Form has been completed correctly and to make all the air/train and hotel reservations, and if appropriate, car rental reservations. The Travel Authorization Form follows this process: initial approval is via the Supervisor then the General Manager has final approval. Once the Travel Authorization has been approved, a copy should be given to the Executive Assistant.

B. Air/Train/Bus Travel

1. All travel should be arranged to obtain the lowest fare consistent with the required travel schedule. First class travel is not allowed. Non refundable tickets should be purchased with insurance in the event the airline cancels the flight(s).

C. Car Rentals

1. The General Manager will determine whether an employee requires a car rental. If an employee is staying at a hotel where the conference is being held, a car rental will not be allowed. An employee can elect to justify in written form why a car rental is necessary.
2. Car rentals shall be at the lowest rate and mid-size available consistent with the travel schedule and needs. Luxury, sport or specialized vehicles are not allowed.
3. Employees shall decline the coverage for Collision Damage Waiver Insurance offered by rental car companies. Please make it clear when renting a vehicle that it is a company rental. If the rental firm requires a certificate of insurance, please contact RMLD and the certificate will be faxed to them.

D. Cash Advances

1. Cash advances are not available.

E. Personal Car

1. Employees will be reimbursed for the use of their personal car at the rate used by the Town of Reading.
2. All employees who use their own vehicle from their home to attend a seminar (or similar company business) will deduct their normal commuting mileage to and from the RMLD from the total mileage to attend the seminar if you leave from home. Examples of this are the following:
  - a. If your normal round trip commute to the RMLD is thirty (30) miles and you attend a seminar that is twenty (20) miles round trip from your home, you would be reimbursed nothing for mileage.
  - b. If your normal round trip commute to the RMLD is thirty (30) miles and you attend a seminar that is forty (40) miles round trip from your home, you would be reimbursed ten (10) miles for mileage (40 miles - 30 miles).
  - c. If you are attending a seminar on a holiday or a weekend, you would be reimbursed the total amount of your mileage, since you would not be commuting normally to work on any of these days.

When reporting mileage, the total mileage driven, less the commuting mileage, must be indicated.

F. Meals

1. Overnight Travel Meals - All employees will be provided a per diem allowance in accordance with the United States General Services Administration [www.gsa.gov](http://www.gsa.gov) for all their meals (includes meal, tax and gratuities without providing receipts.)
2. Local Travel/Business Meals - Local Travel/Business meals will be reimbursed up to the amount specified by the United States General Services Administration [www.gsa.gov](http://www.gsa.gov) for lunch only. Where receipts are required, they must be detailed and complete. If lunch is provided as part of a seminar, no reimbursement will be made.

G. Entertainment Expenses

Entertainment expenses are not permitted.

H. Phone

In the event of no cell phone, employees are authorized one personal call to home up to thirty (30) minutes per day of travel. Employees are encouraged to refrain from using direct hotel lines due to excessive charges.

I. Laundry/Cleaning

Reimbursement is allowed if the trip is three days or longer.

J. Tips

Reasonable tips (non-meal related) are reimbursable.

K. Lodging

Standard double-occupancy rooms are authorized (one room per employee).

L. Parking/Tolls/Gas

All such expenses are reimbursable provided receipts are provided.

M. Taxis

Actual cost of taxis is reimbursable based on documentation supplied by the employee.

N. Non-Reimbursable Expenses

The following costs are not reimbursable via this policy:

1. Personal expenditures that are not related to RMLD business and are of a type that an employee would make whether at home or away.
2. Personal travel and accident insurance.
3. Medical costs.
4. All associated travel expenses of a spouse, personal guests or dependents.
5. Expense for care of dependents or pets.
6. Extra expenses at home while you travel (example: caretaker service).
7. Cost of personally given flowers, gifts or remembrances.
8. Alcoholic drinks of any type.

O. Receipts Required for Travel Expenses

1. Transportation fares: (Note: for all air/train travel, the passenger receipt portion of the ticket must be submitted).

2. The entire detailed hotel bill must be submitted (not just the credit card total).
3. Laundry and cleaning.
4. All parking fees and tolls.
5. Car rentals and related expenditures, e.g. gas, oil, etc.
6. Postage fees.
7. RMLD car expenditures (e.g., repairs, wiper blades, oil).
8. Registration fees for previously approved courses and seminars.
9. Unusual expenditures. If a receipt is lost or otherwise not available, do not delay submitting expense reports for expenditures for which receipts are available or are not required, i.e., submit expenses you can document and catch up on submitting the rest when you get the receipts. The employee is responsible for obtaining the missing receipt or an acceptable duplicate.

P. Expense Report Approval Requirements

1. Expense reports must be signed by the employee and the immediate supervisor and forwarded (along with the required documentation) to the Accounting Manager or designee. Expense reports will only be approved by the Accounting Manager or designee if they comply with the provisions of this policy.

Q. Combined Business and Personal Travel

If an employee takes a business trip and the trip is extended in time to include personal matters or vacation, all extra expenses incurred will be the employee's responsibility including hotel, meals, flight surcharge, parking, etc.

R. Expense Report Processing

1. Upon return from a trip or completion of RMLD business, the employee must complete an expense report as soon as possible, but in no case later than five (5) working days following the trip.
2. Employees will be reimbursed through the weekly Accounts Payable cycle.

IV. **ATTACHMENT**

- A. Travel Authorization Form.



**RMLD**  
Riverside Metropolitan Library District

# TRAINING/TRAVEL AUTHORIZATION FORM FISCAL YEAR \_\_\_\_\_

Day

☐

Overnight

☐

Conference

☐

Training

☐

Employee:	Division:	Meets CDP	Y	N

Name of Training/Conference	
Reason for Request	
Location	
Travel Dates	Length of Stay (Number of Nights)
Transportation - Travel Mode (Air, Rental Vehicle, Bus, Personal Vehicle)	
Did you receive an overnight travel authorization last year?	Budget Approved?

	REQUEST	REVISED	ACTUAL
TRANSPORTATION	\$ _____	\$ _____	\$ _____
HOTEL	\$ _____	\$ _____	\$ _____
FEES/TUITION	\$ _____	\$ _____	\$ _____
MEALS	\$ _____	\$ _____	\$ _____
OTHER	\$ _____	\$ _____	\$ _____
TOTAL	\$0.00	\$0.00	\$0.00

Request Approval:  
Projected Budgeted

Revised Approval:  
Based on Increases

Actual Approval:  
Actual Expenses

\_\_\_\_\_  
Employee

\_\_\_\_\_  
Employee

\_\_\_\_\_  
Employee

\_\_\_\_\_  
Supervisor

\_\_\_\_\_  
Supervisor

\_\_\_\_\_  
Supervisor

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

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

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

\_\_\_\_\_  
Date

\_\_\_\_\_  
Date

\_\_\_\_\_  
Date

Revised Approval is required if Request total Increases prior to travel. Other reimbursable expenses are according to RMLD's Travel Policy 5. All forms and expense reports must be processed in accordance with RMLD's Travel Policy 5.



RMLD Policy No. 6

DRUG AND ALCOHOL FREE WORKPLACE

Revision No. 2



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.

## RMLD Policy No. 7

### PAID SICK LEAVE

Revision No. 2

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.



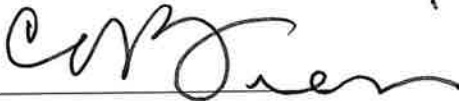
## POLICY NO. 8

### OTHER POST EMPLOYMENT BENEFITS (OPEB) LIABILITY TRUST FUND

Revision No. 2

March 18, 2021

Commission Vote Date



General Manager

March 2024

Next Review Date

#### I. PURPOSE

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. This policy 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.

#### II. RESPONSIBILITIES

##### A. RMLD Board of Commissioners

The RMLD Board of Commissioners shall be responsible for the following:

1. Approving a funding schedule, as needed, and making appropriations to the Fund consistent with applicable laws and accounting standards;
2. Designating a Trustee of the Fund, from time to time, as permitted by M.G.L. c. 32B, § 20 and the Declaration of Trust;
3. Reviewing and approving financial statements and reports as may be required by M.G.L. c. 32B, § 20 and statements of account provided by the Trustee;
4. Appropriating OPEB funds to pay RMLD’s share of health insurance benefits;

5. Developing and updating, as appropriate, policies governing the investment of the Fund as may be permitted under the Declaration of Trust and applicable law;
6. Approving and executing necessary documents and forms to authorize and effectuate the investment of the Fund; and
7. Taking all other actions consistent with the role and duties of the RMLD Board of Commissioners 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.

B. 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.

C. RMLD General Manager

The General Manager shall have the following responsibilities:

1. Serving as the liaison between the RMLD Board of Commissioners and the Trustee;
2. Updating the terms of the Declaration of the Trust in accordance with approved amendments;
3. Maintaining a copy of the Declaration of the Trust and any amendments, and any records relating thereto;
4. 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;
5. Reviewing recommendations for managing and administering the Fund, including Fund investments, with the RMLD Board of Commissioners;

6. Consulting with the Trustee (or Treasurer if different) as provided under M.G.L. 32B, § 20;
7. Providing assistance, as needed, to comply with reporting requirements; and
8. 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.

D. Director of Business Finance

The Director of Business Finance 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.

### **III. 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.

# **RMLD Policy No. 9 PROCUREMENT**

**Revision No.4**

Commission Vote/Effective Date 6-21-2018

  
General Manager/Date

6-21-2021  
Next Review Date

## **I. APPLICABILITY and PURPOSE**

- A. This policy applies to the procurement of goods and services by the Reading Municipal Light Department ("RMLD"), except for power supplies and public construction materials and services subject to G.L. c. 30, § 39M or G.L. c. 149. This policy also does not apply to the hiring of labor relations representatives, lawyers, designers, certified public accountants or other professional services that are exempt under G.L. c. 30B. This policy applies to all RMLD employees and commissioners and Citizens Advisory Committee ("CAB") members.
- B. 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. AUTHORITY**

The RMLD Board of Commissioners shall be given the opportunity to review and comment on all procurements proposed to be conducted under this Policy No. 9 having an estimated value in excess of \$50,000 for electric equipment procured hereunder and in accordance with G.L. c. 164, § 56D and \$50,000 for other equipment and services. However, if the General Manager determines that an emergency involving the health, safety or welfare of the people or their property exists, then the RMLD may proceed with an emergency procurement hereunder without first affording the Board of Commissioners the opportunity to review and comment on such procurement. The General Manager shall report the circumstances of all such emergencies and the details of all such emergency procurements to the Board of Commissioners as soon as reasonably practicable.

The General Manager, or her designee, shall approve all pricing and terms and conditions of all RMLD procurement contracts. RMLD may develop and use standard terms and conditions which have been preapproved by the General Manager.

### III. VENDOR RELATIONS

#### A. Objective

It is recognized that vendors establish working relationships with RMLD employees and that these relationships are beneficial to both RMLD and the vendor. The RMLD must ensure that these relationships do not result in excessive costs to RMLD or in loss of a resource due to improper business practices.

#### B. Notice to Materials Manager

If an employee intends to meet with a vendor to discuss ongoing or future projects and the discussion may involve prices, terms or conditions, the employee shall notify the Materials Manager. The Materials Manager or designated representative will attend the meeting if necessary.

#### C. Code of Conduct

The RMLD has a zero tolerance policy. This means no RMLD employee, RMLD Board member or CAB member may accept gifts from vendors or prospective vendors, or as otherwise proscribed by G.L. c. 268A.

Massachusetts General Laws, Chapter 268A, is the primary law relating to conflict of interest for public employees. All employees need to be aware of the laws and regulations governing dealings with vendors and as they apply to conduct in other areas as well. It is the policy of the RMLD to maintain the highest level of integrity in dealings with vendors and the public on any level.

No RMLD employee, RMLD Board member or CAB member may solicit or accept, directly or indirectly, any gift, gratuity, favor, entertainment, loan, or other item in violation of G.L. c. 268A. RMLD also prohibits the solicitation or acceptance of any gift or gratuity regardless of monetary value from a person, public agency, or private entity that:

1. Has had, has, or is seeking to obtain a contractual or other business or financial relationship with the RMLD.
2. Conducts or is seeking to conduct business or activities that are regulated or monitored by the RMLD; or
3. Has interests that are or may give the reasonable impression of being substantially affected by the performance or nonperformance of an individual's official duties.

#### IV. VENDOR LISTS

RMLD will prepare and maintain lists of responsible vendors to facilitate the procurement process. A responsible vendor is one who has the demonstrated ability, capacity, and integrity to provide the desired goods or services as determined by RMLD based on prior dealings with RMLD, references and/or other information obtained by RMLD.

##### A. Obtaining Responsible Vendor Status

1. Prior to adding a vendor to the RMLD vendor list, RMLD will obtain complete vendor company and contact information. Information may include business and client references as well as qualifications, licenses, and bonds, as applicable.
2. RMLD also will check the Commonwealth's debarred vendor lists to ensure that the vendor is in good standing.
3. Depending on the bid amount, a vendor may also be asked to submit the following certifications or affirmations:
  - a. A statement that no RMLD employee, RMLD Board member, or CAB member, is a participant in, owner of, or receives a benefit from business dealings with the RMLD.
  - b. A statement that the vendor will not furnish or provide any RMLD Board member, CAB Member, or employee directly or indirectly, any gift, gratuity, favor, entertainment, loan, or other item of monetary value.
  - c. Certifications regarding tax compliance, the Fair Labor Standards Act ("FLSA") and/or wage rates.
  - d. Certification of Non-Collusion in submission of quotations and bids.
  - e. Acknowledgement of understanding of the laws of the Commonwealth and RMLD Policies as they apply to the conduct of business with the RMLD and affirmation to comply with those laws and RMLD Policies.

##### B. Preparation and Review

The Materials Manager shall be responsible for preparing and maintaining the vendor lists. The vendor list shall be subject to the General Manager's review and approval.

## **V. PROCUREMENT PROCESS**

### **A. Electric Equipment**

RMLD shall use sound business practices to procure transmission and distribution equipment. The particular process utilized will depend on the required specifications for the equipment, availability of responsible vendors for specialized equipment, when such equipment is needed and lead time for delivery, among other factors. When the estimated cost of the purchase is \$50,000 or more, the purchase shall first be advertised in accordance with G.L. c. 164, § 56D unless an emergency involving the health, safety or welfare of the people or their property is deemed to exist in which case no advertisement shall be required. Such advertisement shall state the time and place for opening the proposals and shall reserve to RMLD the right to reject any or all such proposals. All such proposals shall be opened in public. No bill or contract shall be split or divided for the purpose of evading the advertising requirements set forth in G.L. c. 164, § 56D. In addition, RMLD may provide direct notice of the procurement to applicable vendors on RMLD's vendor list.

### **B. Other Equipment and Services**

To the extent practicable, RMLD will follow the procedures set forth G.L. c. 30B. 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. 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 (other than electric equipment) estimated to exceed \$50,000 shall be made from a statewide contract or after a formal, competitive sealed bid or proposal procedure or a reverse auction. If a competitive solicitation or reverse auction is used, RMLD will follow the applicable procedures set forth in G.L. c. 30B, §§ 5, 6, or 6A, and for electric equipment \$50,000 and over, the advertising requirements set

forth in G.L. c. 164, § 56D. The competitive solicitation procedures may be waived by the General Manager when an emergency involving the health, safety or welfare of the people or their property is deemed to exist.

4. Vendors should be made aware that any purchase orders or contracts are subject to RMLD standard Terms and Conditions, and/or the Terms and Conditions set forth in the RMLD Goods and Services contract and are in effect unless otherwise agreed to by the General Manager.

## **VI. Records**

Records of all solicitations shall be kept and must be furnished to the Materials Manager. Such information may be used for subsequent contracts or purchase orders. All contract information on all purchases of \$5,000.00 and over, or such other amount specified by G.L 164 § 56C, will be maintained by the Materials Manager as per agreement with the Reading Town Manager and Town Accountant.



**RMLD Policy No. 12**  
**READING MUNICIPAL LIGHT BOARD DOCUMENTS DISSEMINATION**

**Revision No. 2**

March 18, 2021  
Commission Vote Date

  
\_\_\_\_\_  
General Manager/Date

March 2024  
Next Review Date

**I. APPLICABILITY**

This policy governs the dissemination of Reading Municipal Light Department (“RMLD”) Board documents prior to, during, and after Board meetings. 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. RESPONSIBILITIES**

**A. RMLD Board**

Responsible for periodic review of this policy and review of executive session minutes and materials.

**B. General Manager**

Responsible for assisting the Board regarding the implementation and consistent application of this policy, and the determination of whether a Board document may be withheld from disclosure to members of the public under applicable law.

**III. DISSEMINATION PRIOR TO BOARD MEETING**

**A. Purpose**

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.

**B. General Policy**

All documents submitted to the Board, whether such document 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-sixth).

C. Deliberative Process Exemption

Documents exempt from disclosure under M.G.L. c. 4, § 7 (clause twenty-sixth)(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.

D. Identification of Draft Documents

To avoid giving the mistaken impression that a proposed policy, position, or 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.

E. 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.”

IV. **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 his professional competence, and (2) materials (other than any résumé 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 an 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.

# **V. DISSEMINATION OF EXECUTIVE SESSION MINUTES AND DOCUMENTS FOLLOWING BOARD MEETINGS**

## **A. Release of Materials Submitted to the Board Following the Board Meeting**

The disclosure of Board documents, including minutes of open sessions, shall be governed by applicable public records and open meeting laws.

## **B. Executive Session Minutes and Materials**

### **1. 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 in Section V.B.3.

### **2. 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.

### 3. Quarterly Review Procedures

- a. 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. In conducting the review, the Chair and the Secretary shall consider whether:
  - (1) the executive session was held in compliance with M.G.L. c. 30A, § 21;
  - (2) publication of the minutes or materials would defeat the lawful purposes of the executive session;
  - (3) the minutes or materials include information protected by the attorney-client privilege;
  - (4) 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;
  - (5) the RMLD Board has voted not to disclose such information (to the extent that the executive session was held to consider RMLD's competitively sensitive information which was entitled to confidentiality under M.G.L. c. 164, § 47D); and
  - (6) the minutes or materials are entitled to confidentiality as personnel information as set forth in M.G.L. c. 30A, § 22(e).
- b. 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 in Section V.B.4.
- c. Executive session minutes, or portions thereof, will be released only by an affirmative majority vote of at least three (3) members of the Board.

### 4. 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 in Section V.B.3 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 Policy No. 13  
FACILITY USE**

Revision No. 5

  
General Manager/Date

April 22, 2021

Commission Vote Date

When building opens to public.

Next Review Date

**I. PURPOSE AND ELIGIBILITY**

This policy shall be effective on January 1, 2017. This policy governs access to facilities and property placed in the custody and control of the Reading Municipal Light Department ("RMLD"). The RMLD's facilities and outdoor property are generally secure areas that are subject to security standards established by the North American Electric Reliability Corporation ("NERC"). As a result, RMLD facilities and outdoor property are not available for use by the general public, including non-profit and civic organizations under any circumstances. However, town departments, boards and committees within RMLD's service territory may use certain RMLD facilities and outdoor property as set forth in this policy provided that such town department, board, or committee shows proof that use of RMLD's facilities or outdoor property, as applicable, is covered under its liability insurance.

**II. ACCESS**

**A. Town Departments, Boards and Committees**

Based on availability and subject to approval by the General Manager and compliance with this paragraph, town departments, boards and committees within RMLD's service territory may use: (1) certain designated RMLD facilities and (2) certain designated outdoor property. Access to facilities is limited to the RMLD Cafeteria and Audio-Visual (AV) room for business-related training sessions. Access to outdoor property is limited to areas located outside of fenced and secured areas, provided that such access and use is consistent with NERC security mandates as determined by the General Manager. In all instances, the town department, board, or committee must show proof that use of RMLD's facilities or outdoor property, as applicable, is covered under its liability insurance. Absent such a showing, the town department, board, or committee will not be eligible to use RMLD's facilities or outdoor property.

B. Scheduling

Any town department, board or committee within RMLD's service territory that wishes to use RMLD facilities or outdoor property shall first contact the General Manager to request permission to use RMLD facilities or outdoor property. If the General Manager authorizes the requested use then such town department, board or committee should contact the RMLD Facilities Department to schedule such authorized use at a time when RMLD's facilities or outdoor property that are generally available for use under this policy and are not otherwise needed by RMLD.

C. Cancellations

RMLD reserves the right to cancel the use of a facility or outdoor property when such facility or outdoor property is needed for RMLD-related business or RMLD determines, in its sole discretion, such cancellation is deemed to be in the best interest of the RMLD. RMLD will attempt to contact the primary contact in advance, if time permits.

III. REQUIREMENTS AND RESTRICTIONS.

A. Drugs and Alcoholic Beverages Prohibited

Illegal drugs, medical marijuana, and alcoholic beverages of any kind are strictly prohibited on all RMLD property.

B. Smoking

Smoking is prohibited throughout all RMLD facilities and within a minimum of 10 feet from all RMLD buildings, decks, ramps and exits or as otherwise may be restricted by RMLD's prevailing smoking policies.

C. Additional Restrictions

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

D. Accident Reports

In the event of an accident during the use of RMLD's facilities or outdoor property, the user shall immediately contact the RMLD Control Center (781) 942- 6437 to report the incident, who in turn will notify the appropriate RMLD employee to file a formal accident-report.

## **RMLD Policy No. 14 USE OF VOLUNTARY SICK BANKS**

**Revision No. 2**

Commission Vote Date 7-19-2018

C. H. G. 7.19.18  
General Manager/Date

7-19-2021  
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 Manager.
- 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.

**RMLD Policy No. 15  
SEXUAL HARASSMENT**

**Revision No. 3**

1-31-17  
Commission Vote Date

  
General Manager/Date

1-31-20  
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 in 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 Manager

The Human Resources Manager shall serve as RMLD's Sexual Harassment Officer. The Human Resources Manager 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 Manager 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 Chairman of the Board of Commissioners shall be notified. The RMLD Board of Commissioners may direct the Human Resources Manager to hire an outside consultant to conduct the investigation. The Chairman 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.

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 Manager. Failure to report suspected violations of this policy to the Human Resources Manager 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 Manager either orally or in writing. If the employee does not feel comfortable reporting the incident to his or her direct supervisor, Division Manager or the Human Resources Manager, 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 Manager.

B. Internal Notifications

All complaints and reports of suspected violations shall be reported immediately to the Human Resources Manager. If the Human Resources Manager is unavailable, the General Manager shall be notified. The Human Resources Manager 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 Manager 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 Manager shall conduct private interviews with the complainant, any witnesses, and the alleged perpetrator(s). The Human Resources Manager shall maintain written records;
5. Following the investigation, the Human Resources Manager 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 Manager 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 Chairman of the Board of Commissioners. In the event that the complaint is against the Chairman of the Board, the Vice Chairman 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 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. 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. 3 and have received training on  
this topic.

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Date

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Please print your name

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

**Revision No. 2**

1-31-17  
Commission Vote Date

*C. J. Green* 1.31.17  
General Manager/Date

1.31.20  
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.

**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 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 should 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 history of frequent job changes; and
- 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. Permissible questions relating to criminal history include:

- a. Have you ever been convicted of a felony?
- b. Within the last five years have you been convicted of, or released from incarceration for a misdemeanor which was not a first offense for drunkenness, simple assault, speeding, a minor traffic violation, an affray, or disturbing the peace?

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 Manager 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 Manager 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 Manager 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.

\_\_\_\_\_  
I have received and read Policy No. 16,  
Revision No. 2

\_\_\_\_\_  
Date

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

# **RMLD Policy No. 17**

## **TUITION REIMBURSEMENT**

**Revision No. 3**

Commission Vote Date 6-21-2018

  
General Manager/Date

6-21-2021  
Next Review Date

### **I. PURPOSE**

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 to help meet the needs of RMLD through approved coursework and degree programs in order to maintain a leadership position among municipal electric utilities. Accordingly, RMLD's tuition reimbursement policy is 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. The General Manager is responsible for approving tuition reimbursement and interpreting this policy to ensure the intended purpose is achieved consistent with overall policies of the RMLD Board of Commissioners.
- B. Human Resources Manager. The Human Resources Manager is responsible for processing requests, administering tuition reimbursement benefits and verifying that educational institutions meet accreditation requirements.
- C. Supervising Managers. Supervising managers are responsible for informing employees under their supervision of the availability of tuition reimbursement benefits and assisting them with identifying professional and educational goals.

### **III. ELIGIBILITY REQUIREMENTS**

- A. Eligible Educational Programs
  - 1. Employees must be enrolled in an accredited college or university. Accreditation must be received from an accreditation agency recognized by the United States Department of Education. The Human Resources Manager will verify that the educational institution has received the appropriate accreditation.

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 Manager or her designee. Academic disciplines regarded as relating to RMLD business include, but are not necessarily limited to:
  - Human Resources Management and Development;
  - Electrical Engineering;
  - Mechanical Engineering;
  - Efficiency Engineering;
  - Business Administration and Management;
  - Accounting;
  - Economics;
  - Information Technology; and
  - As set forth in RMLD job descriptions or position requirements.

Electives taken as part of a degree/certification program are eligible for reimbursement.

4. Employees must earn academic credits towards an associate's, bachelor's, or master's degree or qualifying certification program. Doctorate programs are not eligible for reimbursement.
5. Online and other non-traditional continuing education programs are eligible provided that all other requirements of this policy are satisfied.
6. Courses must be taken for a grade. Pass/Fail courses are not eligible unless they only are offered on a Pass/Fail basis.
7. Employees may receive reimbursement for one Personal Education Course (self-enrichment) per year taken at a fully accredited educational institution provided the employee receives college credit for the course and all other grade and eligibility requirements of this policy are met.

#### B. Eligible Employees

1. All full-time management, union and non-union employees, and part-time employees if regularly scheduled for at least 30 hours per week, are eligible for tuition reimbursement following successful completion of any probationary period. Cooperative work education students, student interns, summer employees, contract employees, temporary employees, 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.

#### **IV. REIMBURSEMENT**

A. Eligible Expenses. The following expenses are eligible for reimbursement, except as otherwise provided below in Section IV.B:

- Tuition and mandatory fees associated with the course of study, except as identified below under Non-reimbursable Expenses;
- Text books, workbooks, and reading materials required or recommended by the instructor; and
- Testing fees, including College Level Examination Program ("CLEP") exam fees.

B. Non-reimbursable Expenses. Non-reimbursable expenses include:

- Student activity fees;
- Medical insurance;
- Room and board;
- Recreational fees;
- Travel and parking;
- Equipment and supplies, including personal computers and peripherals, data or telephone communication lines, notebooks, calculators, and writing instruments;
- College applications and college admissions testing fees, e.g., ACT, SAT GMAT and GRE;
- Tuition deferral/payment fees;
- Non-mandatory fees and charges; and
- Tuition and expenses covered by financial aid.

C. Other Expenses. Employees should contact the Human Resources Manager for a determination of whether the expenses are reimbursable. All expenses and fees are subject to the approval of the Human Resources Manager.

D. Amount of Reimbursement.

1. Tuition for Courses and Related Expenses. In accordance with this Policy, RMLD will reimburse employees for up to six (6) courses per

calendar year. Reimbursement in excess of six (6) courses shall require the approval of the Human Resources Manager and the General Manager. Employees will be reimbursed for eligible courses at following completion of the course(s) at the following rates:

- 90 percent for an 'A' or a "Pass," when allowed,
- 80 percent for a 'B'; and
- 70 percent for a 'C'.

Tuition and related expenses for courses in which the employee failed or received a grade below a C (i.e., C-, D, or F) are not eligible for reimbursement.

Employees are required to provide an official transcript or grade report in order to receive reimbursement.

2. Additional Reimbursement Following Completion of Degree/Certification Program. Employees who earn a degree or certificate to meet the educational requirements of his/her job description may be entitled to receive an additional 10% of the tuition and related expenses for each eligible course taken. To be eligible for the additional 10% lump sum reimbursement, the employee must be employed by RMLD in a permanent position on the one-year anniversary of receiving the degree/certificate and shall be in good standing. Reimbursement will be made one year following the successful completion of the degree or certificate program. In no event shall any combination of reimbursements exceed a total of 100% for an 'A', 90% for a 'B', and 80% for a 'C'.
3. Testing Fees. CLEP and DANTE testing expenses which earn credit toward an employee's educational requirement will be reimbursed at 100 percent for a passing grade. No reimbursement will be made for a failing grade

## **V. PROCEDURES AND ADMINISTRATIVE REQUIREMENTS**

- A. Approval Required. All educational programs and/or courses of study for which reimbursement is or will be sought are subject to the prior written approval of the General Manager. The General Manager shall review and pre-approve educational programs and/or courses of study on a semester by semester basis. The General Manager may consider the RMLD's budget and financial situation, the needs of RMLD and the needs of the RMLD in general in determining whether to approve coursework. Upon the approval of the General Manager, the employee shall submit an estimate of the annual tuition and reimbursable expenses to the Human Resources Manager prior to enrolling in the course(s). The estimate shall include a list of the proposed courses, number of credit hours, the cost per course/credit



hour, estimated related expenses and a description of how the course(s) will help RMLD. The estimate also shall include any financial assistance that the employee has applied for, e.g., financial aid, scholarships, or has been awarded. The estimate shall be subject to the approval of the General Manager or his/her designee. Failure to obtain prior approval of the educational program or estimated educational expenses may result in denial of reimbursement.

- B. Requests for Reimbursement. All requests for reimbursement are to be submitted to the Human Resources Manager using the tuition reimbursement form attached hereto as Attachment A, which may be changed by the General Manager from time to time, and shall include a copy of the grade report and invoice or proof of payment of eligible expenses as identified in Section IV above. Requests should be submitted within 30 days following completion of the course. The Human Resources Manager may request such documentation as he/she deems appropriate to verify the employee's eligibility for reimbursement.
- C. Scheduling. Course(s) must be taken outside of the employee's normal working hours. Adjustments to the employee's schedule may be made in special circumstances for testing and special events with the approval of the employee's supervisor and the General Manager. The employee shall not use RMLD time or resources to perform coursework without the express, prior approval of the General Manager.

Attachment A  
RMLD Tuition Reimbursement Request

Employee Name ("Employee"): \_\_\_\_\_

Date submitted: \_\_\_\_\_

Degree or Certificate being sought: \_\_\_\_\_

Year of graduation: \_\_\_\_\_

**PRE-APPROVAL BEFORE COURSEWORK BEGINS:** All educational programs and/or courses of study for which reimbursement is or will be sought by Employee are subject to the prior written approval of the General Manager consistent with Policy No. 17. Attach a copy of the course description, any available documentation showing what texts and materials are required for the course and documentation of the educational institution's accreditation. The General Manager's signature on this form is required for pre-approval.

Name of Educational Institution:
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Course Name ("Course(s)") (Example: English 101)	Credits	Grade Received	Tuition Cost	Book Cost	Material Cost

<b><u>COURSE JUSTIFICATION: (Describe below the justification for the Course(s))</u></b>
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I am requesting pre-approval for tuition reimbursement in accordance with Policy No. 17 "Tuition Reimbursement" and agree to comply with the provisions of that policy. I understand that I must comply with Policy No. 17 requirements in order to receive reimbursement once I have completed the Course(s).

Employee signature: \_\_\_\_\_

Date: \_\_\_\_\_

I have reviewed this form and the accompanying documentation and pre-approve the Course(s) in accordance with Policy No. 17.

Supervisor signature: \_\_\_\_\_

Date: \_\_\_\_\_

General Manager signature: \_\_\_\_\_

Date: \_\_\_\_\_

Human Resources Manager signature: \_\_\_\_\_

Date: \_\_\_\_\_

**OBTAINING REIMBURSEMENT:** Employee must complete the "Grade Received" column above, attach a copy of the grade report for the Course(s) and provide invoices or receipts and proof of payment by Employee for the Course(s) to the Human Resources Manager along with an RMLD Weekly Expense Statement. The Human Resources Manager shall review the information submitted by the Employee and determine whether Employee is eligible for reimbursement for the cost of the Course(s) in accordance with Policy No. 17. Final approval for tuition reimbursement for the Course(s) is indicated by signature of the Human Resources Manager and General Manager. This completed form and accompanying materials must be sent by Employee to Accounting for processing of the tuition reimbursement.

Human Resources Manager signature: \_\_\_\_\_

Date: \_\_\_\_\_

General Manager signature: \_\_\_\_\_

Date: \_\_\_\_\_

Copies of this form should be retained by the Employee, General Manager, Human Resources Manager and Accounting.

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

**Revision No. 4**

Commission Vote Date 1-24-2019



General Manager

1-24-2022

Next Review Date

## **I. PURPOSE AND SCOPE**

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

The Strategic Plan shall set out a vision statement, a mission statement and strategies derived from the vision and the mission for long-term planning (20-year). These strategies shall reinforce RMLD's longstanding responsibilities to its customers, and shall respond pro-actively to changing environmental, regulatory and market conditions. In developing, reviewing and revising the Strategic Plan, SWOTT (strength, weakness, opportunities, threats, and trends) analysis may be used.

## **II. POLICY DETAIL**

RMLD will comprehensively review its Strategic Plan every three years and will present the results of the comprehensive review to the Board of Commissioners. If RMLD identifies potential changes to the Strategic Plan, such changes will also be presented to the Board of Commissioners for its review, comment and adoption.

RMLD will develop internal operational plans to implement the Strategic Plan.

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

**Revision No. 15**

7-19-2021

Commission Vote Date



Catherine  
Catherine (Jul 29, 2021 17:38 EDT)

General Manager/Date

7-19-2024

Next Review Date

**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**

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. The conduct of meetings of the Board shall conform to M.G.L. c. 30A, §§ 18-25 – the Massachusetts Open Meetings Law.

**III. MEETINGS AND PROCEDURES**

Regular Board meetings generally will be held once a month or as otherwise needed. The Board of Commissioners meetings will not hear new topic discussions after 10:45 PM and meetings will be adjourned no later than 11:15 PM. The Chair may call special or emergency meetings, as needed. The Chair shall read the Board's code of conduct and courtesy at the beginning of each meeting.

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 executive session. No quorum of the Board may engage in any deliberations or otherwise discuss substantive matters involving Board business outside of a duly noticed open session. This restriction includes serial communications, which means any oral or written communication through any medium, including electronic mail, between or among a quorum of the Board on any public business within its jurisdiction. The General Manager, who is not 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. 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.

The Board may follow rules of order as established and determined by the Board from time to time.

Unless otherwise specified herein, all actions and approvals require a majority vote of a quorum of the Board. A quorum is a simple majority of the Board members, *i.e.*, three (3) members.

The following procedures shall apply to executive session meetings:

1. The Board must first convene in an open session;
2. The Board has voted to go into Executive Session and the vote of each member is recorded by roll call and entered into the minutes;

3. Before the Executive Session, the Chair shall state the purpose for the executive session, stating all subjects that may be revealed without compromising the purpose for which the executive session was called;
4. The Chair shall publicly announce whether the open session will reconvene at the conclusion the executive session; and
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 will be required to state on the record as such.

Additional procedures may apply to specific executive session topics as set forth in M.G.L. c. 30A, § 21. Records of executive sessions shall be kept in accordance with statutory requirements. Audio and/or visual recordings of executive session meetings shall not be taken, except as otherwise required by M.G.L. c. 30A, § 21. All executive session meetings shall comply with any additional requirements or procedures set forth in M.G.L. c. 30A, § 21.

#### IV. BOARD MEMBER POSITIONS AND DUTIES

The Board shall designate a Chair and Vice Chair with each having a maximum term of one (1) year. The Chair shall serve as the presiding officer of the Board, and a Vice Chair shall serve as the presiding officer in the Chair's absence. A Secretary who is not the Chair shall be appointed by the Chair for each meeting of the Board, and such selection shall be made on a rotating basis to the extent expedient and convenient for the Board. The Secretary shall be responsible for performing certain administrative functions on behalf of the Board. If the Chair is unable to attend, then the Vice Chair will assume the duties of the Chair followed by the most senior member of the Board. The designations shall be made by majority vote of the Board. The Chair and Vice Chair shall serve for a maximum of a one-year term unless a special restructuring of the Board is needed. A Board member who is up for re-election may not be appointed as Chair in the year that he/she is scheduled for re-election. A majority vote of at least three (3) members of the Board is required to designate a new Chair or Vice Chair prior to the expiration of their terms.

##### A. Board Chair

1. Chair is responsible for scheduling regular meetings and calling special and/or emergency meetings, as needed. Chair is responsible for determining whether a topic is appropriate for discussion in executive session meetings and shall make all announcements as required in Article II if an executive session meeting is convened.
2. Chair presides over Board meetings, approves the agenda and recognizes all speakers, including other Board members.
3. Chair nominates Board members to represent the Board at appropriate functions, events, and outside meetings. Final decision of the appointment is by a majority of the full Board. A majority of the Board is at least three of the five members.
4. Chair nominates Board members to Board Committees. Final appointment is by a majority vote of the Board.
5. In his/her discretion, Chair may waive any procedures or formalities that are not required by law to facilitate the conduct of Board's business.

B. Vice Chair

1. If the Chair is unable to attend a Board meeting, then the Vice Chair will serve as the Chair for that Board Meeting. If the Chair and Vice Chair are unable to attend a Board meeting, then the most senior member of the Board will assume the duties of the Chair and will appoint a Board Member to serve as Secretary for that meeting.

C. Board Secretary

1. Review draft Board minutes for accuracy, completeness and compliance with Open Meeting Laws.
2. Certifies, as required by law, votes of the Board.
3. In the absence of a General Manager, signs, upon direction of a majority of the Board, contracts, and legal settlements on behalf of the Board.

V. BOARD RESPONSIBILITIES

- A. While the Board is elected by the voters of the Town of Reading, the Board shall conduct its business to serve the interests of the customers of the entire RMLD service area.
- B. Responsible for approving 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.
- C. Appoints the General Manager and establishes his/her compensation and terms and conditions of employment.

The General Manager has the ultimate authority and responsibility for the operation and the management of the RMLD, under the direction and control of the Board, all as set forth in M.G.L. c. 164.

Prior to the start of each Contract 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 in the next Contract Year or such other period of time as agreed to by the General Manager. The General Manager and the Board shall review and approve on these Criteria within thirty days of development by General Manager and RMLD Board. Before the end of the General Manager's Contract Year or such other time as agreed to by the General Manager, the Board will give the General Manager a performance appraisal based on the General Manager's performance and satisfaction of the goals and tasks agreed upon by the General Manager and the Board during the previous Contract Year or such other period of time as agreed to by the General Manager and adjust the General Manager's salary based on that appraisal.

Except for actions contrary to lawful decisions or lawful written policies made by the Board, the General Manager is authorized to take whatever actions as are required to operate and manage RMLD pursuant to M.G.L. c. 164.

The General Manager is the only designated representative for the Board regarding collective bargaining negotiations. The General Manager may utilize other RMLD management personnel as needed to carry out these responsibilities.

- D. Responsible for approving the annual budgets. The Board will receive a report quarterly at their regularly scheduled meeting concerning variance on the operating budget.

On a quarterly basis, the Board may direct the General Manager to give an update on the expenditures on outside services, 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.

On a quarterly basis, the Board may review reports from the General Manager concerning the disposal of scrap and/or surplus material.

- E. When the Director of Business/Finance questions a payment on an invoice or has other concerns relating to the RMLD's finances, the General Manager or his/her designee shall inform the Board of the Director of Business/Finance's concerns for discussion and resolution at the next available Board meeting. The issue will be discussed in an open session meeting unless there is a need to convene an executive session meeting (e.g., invoices concerning legal matters, etc.).

- F. The Board may hear comments from RMLD customers during the public comment portion of the meetings. The Chair expects all comments to be respectful and appropriate. The Chair, in his/her discretion, may limit comments and/or participation (including canceling the public comment session) as necessary to provide for the orderly and efficient conduct of the meeting, and in the interest of time. This policy does not limit the authority of the Chair to regulate public participation and the conduct of attendees, or the rights of members of the public to observe and record open meetings pursuant to M.G.L. c. 30A, § 20. The Board may set policies or general guidelines to resolve customer complaints and issues consistent with its authority under G.L. c. 164, § 56.

- G. The Board will appoint 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. 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. 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.

- H. Approves, after allowing a 30-day period for input from the Citizens' Advisory Board, as provided for in the Twenty-Year Agreement, on the following topics:

1. Annual Capital and Operating Budgets - Upon approval of an annual operating budget, the General Manager will make an annual presentation to the Town of Reading Annual Town Meeting, the Town of Lynnfield, the Town of North Reading and the Town of Wilmington, which will summarize current year financial highlights and financial audits for the previous calendar year.
2. Significant Expansion or Retirement of the RMLD's Transmission, Distribution, General Plant, or Generation;
3. All power contracts and agreements and their resource mix, unless otherwise voted through a strategic risk mitigation plan, i.e., the Transaction facilities Agreement ("TFA"), which is based on four-year time and price triggers. The General Manager will report to the Board quarterly on all purchases made under the TFA.
4. Cost-of-service and rate making practices; and
5. Other issues that may come before the Board that are within its jurisdiction.

I. Approves

1. The Board will approve the final annual report of the RMLD in accordance with the following segments
  - a. Financial Audit (as recommended by the Town Audit Committee and accepted by the Board)
  - b. Annual Report highlights (as previously reviewed by the Board at the General Manager's annual evaluation)
  - c. Annual Report Art / Cover (as selected by the CAB, Board Members, and RMLD staff)
2. All correspondence on RMLD letterhead written by any Board member on behalf of the Board.
3. All collective bargaining agreements. Also establishes the goals and objectives for the General Manager to meet in bargaining new or amended collective bargaining agreements.
4. All presentations made by the RMLD Board or a member of the Board to other elected Boards or Committees.
5. The appointment of Board members to Board Committees.
6. Electric rates.

J. Approves, in conjunction with the General Manager, the payroll and weekly accounts payable warrants.

K. Attends (consistent with approved RMLD budgets) meetings, conferences, training sessions and similar functions as appropriate for enhancing policymaking skills and functions.

L. Attends functions sponsored by the Town of Reading, the Commonwealth of Massachusetts for elected officials, APPA national conferences and NEPPA annual conference and annual business meetings, all of which are presumed to be appropriate for Board member attendance. Attendance for all other meetings, conferences, training sessions and similar functions shall be administered in the same manner as for RMLD management employees. In the event a Board member disagrees with the resultant decision(s), he/she may request the Board, by a majority vote, to approve attendance (subject to any conditions deemed appropriate by the Board). Any Board member attending meetings, conferences, training sessions and similar functions as appropriate for enhancing policy-making skills are required to make a full report at the next available Board meeting.

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. Further, 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.

M. 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.

VI. BOARD COMMITTEES

Board committees serve as a useful mechanism for the Board to review and consider specific issues. Committees may recommend a course of action to the Board. The listing of Board Committees and duties are found on Attachment A of this policy.



## VII. GENERAL POLICY ELEMENTS

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

- A. Operate in accordance with the spirit, as well as the letter, of all laws affecting the RMLD's business and its employees.
- B. Act with the highest level of integrity, business ethics and objectivity in all matters involving or pertaining to the RMLD.
- C. Not misuse the authority or influence of his/her Board member position.
- D. Be supportive of a good working relationship between RMLD management and its unions.
- E. Direct all RMLD employee issues, matters and concerns to the General Manager.
- F. Affirmatively and courteously respond to all 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.
- G. Not contribute, in any form, to civic, charitable, benevolent, or other similar organizations as a representative of the RMLD Board member or on behalf of the RMLD.
- H. Maintain "cost of service" electricity rates as required by law; set policy for the RMLD with the goal of keeping its residential rates lower than any investor owned electric utility in Massachusetts and competitive with any electric utility whose service area is contiguous with the RMLD's service area.
- I. Serve the best interests of all of RMLD's customers.

## VIII. INSURANCE AND INDEMNIFICATION

- A. The General Manager or his/her 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. Details of such coverage shall be presented by the General Manager or her designee to the Board for its review and comment as requested or as otherwise requested by the Board.
- B. 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.

## Attachment A

<p>Audit Committee (Including Town of Reading Audit)</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 Town 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>The appointed Audit Committee Board member and appointed back-up constitute the RMLD sub-audit committee.</p>
<p>Account Payables</p>	<p>Remotely via computer reviews and approves payables on a weekly basis. This position is rotational monthly. Backup is required if primary is not available.</p>
<p>Payroll</p>	<p>Remotely via computer reviews and approves payables on a weekly basis. This position is rotational monthly. Backup is required if primary is not available.</p>
<p>Advisory Joint Committee Payment to the Town of Reading</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>

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

Revision No. 3

Commission Vote Date 9.29.16

Cotter 9.29.16  
General Manager/Date

9.29.19  
Next Review Date

**I. PURPOSE**

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, § 52D ("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.

This policy will be interpreted and implemented in accordance with prevailing laws and regulations.

**II. DEFINITIONS**

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.

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.

### 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 s/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:

- inpatient hospitalization;
- 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;
- pregnancy or prenatal care;
- a chronic, serious health condition that requires periodic visits for health care; or
- 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

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, s/he should give as much notice as possible under the circumstances.

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 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.

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

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.

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.

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, that s/he would have experienced if s/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 s/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 s/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:

- 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);
- 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

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.

If RMLD employs spouses, the total birth, adoption and child care 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

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.

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 a

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

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.

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, that s/he would have experienced if s/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 s/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 s/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:

- 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;
- 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);
- 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;
- 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

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.

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.

V. **ADDITIONAL RIGHTS UNDER THE Parental Leave Act (PLA)**

Employees who do not qualify for 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

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 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.

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/or 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.

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

Revision No. 9

Commission Vote Date 9.29.16

COBren 9.29.16  
General Manager/Date

9.29.19  
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.

Part-time, non-union management employees who work at least twenty (20) hours per week shall be entitled to group health and dental and ICMA 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;

UNDER  
REVIEW

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 Manager

1. The Human Resources Manager 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

To comply with the FLSA Overtime Pay Exemption laws, 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, and Director of Engineering and Operations.

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 Manager to reflect organizational changes.

##### 2. Rate and Accrual

Non-exempt employees will accrue compensation time or be paid overtime, when permitted, at a rate of time and one-half (1 ½) for each overtime hour worked. Per the FLSA, employees will be allowed to accrue a maximum of 240 hours of compensation time during their employment with RMLD.

##### 3. 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 Manager 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.

Upon completion of 5 years of continuous service	\$375
Upon completion of 10 years of continuous service	\$475
Upon completion of 15 years of continuous service	\$575
Upon completion of 20 years of continuous service	\$675
Upon completion of 25 years of continuous service	\$775
Upon completion of 30 years of continuous service	\$875

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 pay check 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. ICMA – 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, ICMA. 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.

READING MUNICIPAL LIGHT DEPARTMENT



REVISION #0

RMLD POLICY NO. 22

EFFECTIVE DATE 7 Feb/97

**PENSION TRUST INVESTMENTS**

*James D. Ruck* 5/8/97  
General Manager/Date

*Per Board vote* 7 Feb/96  
Chairman/Date

**I. PURPOSE**

- A. To establish a prospective (this policy is not retroactive for any prior investment decisions) process for investment of RMLD Pension Trust Funds. These funds are under control of the RMLD Commissioners acting as Trustees of the RMLD Pension Fund.

**II. RESPONSIBILITIES**

A. Trustees of the RMLD Pension Trust

1. Responsible for periodically reviewing this policy to ensure its continuing adequacy to meet the purpose of the Pension Trust. Generally, this review should coincide with the annual actuarial study of the Pension Trust.

B. Treasurer of the Town of Reading

1. Responsible, along with RMLD General Manager, for implementing this policy, selection of professional investment advisors and recommending to the Trustees any suggested policy changes.

C. RMLD General Manager

1. Responsible, along with Treasurer of the Town of Reading, for implementing this policy, selection of professional investment advisors and recommending to the Trustees any suggested policy changes.
2. Responsible for informing the Board of Commissioners, at the next available Board meeting, of any investments made under this policy.



III. GENERAL GUIDELINES

B. Investment Philosophy

1. To maintain the principal of the Pension Trust fund.
2. To provide a consistent investment yield.

B. Investment Criteria

1. Pension Trust funds may be invested in high quality stocks and bonds, rated at least "A" or equivalent.
2. Pension Trust funds may be invested in Bank(s) used by the Treasurer of the Town of Reading for town financial purposes in CD's collateralized by government securities held at a third party bank.
3. Bonds purchased shall be medium to short term (not to exceed 10 years) and be held to maturity.
4. Stocks shall comprise no more than 20% of the total Pension Trust fund.
5. Equities shall be purchased primarily for yield.

C. Investment Process

1. The Treasurer of the Town of Reading and the General Manager shall confer, by phone or in person, from time to time as to investments. The Treasurer of the Town of Reading and the RMLD General Manager shall use professional investment advisors for advice, consultation, and purchase and sale. The Treasurer and the General Manager are authorized to decide and transact any purchases to replace securities which mature, to replace bonds which are called or mature, or to make prudent trading of equities to meet market conditions, and any other actions to ensure the investment philosophy and criteria are satisfied.

D. Exceptions

1. Investments which do not clearly meet the investment philosophy and criteria will be brought, by the General Manager, to the attention of the RMLD Board of Commissioners acting as the Trustees of the RMLD Pension Trust, if time permits. If an investment decision is required prior to the next regularly scheduled meeting, the General Manager will consult by phone or in person with the Chairman or Secretary to determine an appropriate course of action.

## **RMLD Policy No. 23 DRESS STANDARDS**

**Revision No. 2**

Commission Vote Date 1-24-2019

  
General Manager

1-24-2022  
Next Review Date

Reading Municipal Light Department employees are required to dress (clothing and footwear) in an appropriate manner that is consistent with their work environment, Collective Bargaining Agreements ("CBAs"), RMLD Safety Policies and Procedures, OSHA Standards, ARC Flash Study, and applicable standards, policies, and procedures required for the task at hand, and in a manner that is not distracting to other employees or customers. Employees should take pride in their appearance by looking neat and clean at all times, keeping in mind that they are representatives of the RMLD. It is recognized that some RMLD employees work in an office environment and others work in a field environment.

OFFICE ENVIRONMENT: "Business casual" attire is generally appropriate for the office work environment, however some RMLD meetings and/or events, on site or off site, may require more formal "business" attire, e.g., suit.

FIELD ENVIRONMENT: Some clothing and footwear requirements are set forth in the applicable CBA for certain field job descriptions. However, the CBAs may not specifically address other jobs that require field work. In such instances, employees performing those jobs are still required to dress appropriately for their work environment. This would include any office environment employees who may visit a temporary field site, garage, warehouse, and other field-like environment.

In addition to the general categories of distracting and inappropriate, the following is a sample of clothing and footwear that shall not be worn:

- Ripped, tattered, torn or stained;
- Any shirts or sweaters with slogans or large pictures;
- Micro skirts, micro dresses, or midriff apparel;
- Leggings, jeggings, etc., unless worn with dresses or long tunic tops that hit at the mid-thigh or lower;
- Clothing that reveals undergarments;
- Shorts, sweatpants, sweat shirts, track pants (unless using or traveling to or from the on-premises gym); and
- Crocs, flip flops or sneakers.

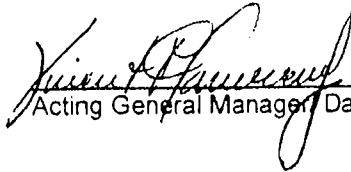
In addition to violating this policy, some non-compliance may also be considered a safety violation. Violations will be subject to progressive discipline, up to and including termination. Any questions regarding this policy shall be directed to the division head or General Manager.

REVISION NO. #0

RMLD POLICY NO. 25

EFFECTIVE  
DATE: 10/24/02

**ANONYMOUS COMMUNICATIONS**

 10/29/02  
Acting General Manager Date

Per Board Vote 10/24/02  
Chairman/Date

I. **PURPOSE/CONSIDERATION:**

- A. This policy applies to employees, RMLD Board of Commissioners, Citizen's Advisory Board Members and contractors for the RMLD.
- B. This policy will establish proper procedures to follow when an anonymous letter, phone call, or other communication is received at the RMLD.
- C. It is by definition impossible to ascertain the motivation behind an anonymous communication. The motivation may be for the highest or for the lowest purposes.
- D. While no charges should be dismissed arbitrarily, it seems unreasonable to give more attention to an anonymous communication than would be given to an identified one.

II. **RESPONSIBILITIES:**

- A. General Manager, or designee, has the responsibility for overall implementation of this policy and investigation should it be deemed necessary.
- B. Human Resources Manager, or designee, will review each case to determine that correct procedures have been followed and that Policy #25 has been implemented according to its purpose and intent.
- C. RMLD Board of Commissioners will be responsible for reviewing and updating this Policy on a periodic basis.

III. **POLICY ELEMENTS:**

- A. Incident Investigation Procedure – Individual
  - 1. An employee who receives an anonymous communication pertaining to the RMLD should notify the General Manager or Human Resources Manager verbally and then follow it up immediately in writing.
  - 2. If the anonymous communication relates to the General Manager, the employee must inform the Human Resources Manager who will then notify the RMLD Board of Commissioners.
  - 3. The employee should reduce the entire communication to writing. If it was received through a telephone message transcribe it. If it was a telephone conversation, write it down to the best of your recollection. If it was in e-mail form or a letter save it.
  - 4. The employee should respect other people's rights and keep information confidential. Failure to maintain confidentiality will be taken as a serious matter.

**UNDER  
REVIEW**

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.
-

I have received and read Policy #25  
Rev #0

Date

Please print your name



ORIGINAL

Revision 0

RMLD Policy #26

Effective: 1/1/96

  
General Manager

Board vote: 3/18/96

**"Commercial Driver Licensee's Alcohol and Drug Testing"**

**A. Purpose:**

1. 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.

**2. 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".*

**3. Responsibilities:**

General Manager: responsible for the overall compliance



Human Resources: 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 and Administrator, a management designee will be temporarily responsible for the above-referenced testing activities.

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.

#### **4. 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.

## **5. 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.

## **6. 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.

## **7. 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.

## **8. 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.

## **9. 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 provision 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.

#### **10. COMPLIANCE WITH APPLICABLE LAWS, RULES & 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.

#### **11. 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

## **12. 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.

## **13. DRUG AND ALCOHOL USE PROHIBITIONS**

No employee who's 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:
  - i. the employee has been drug and alcohol tested, or
  - ii 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.



#### 14. 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.*

15. On 3/18/96 the Line-Meter-Station unit ratified the  
(date)

language of this Policy #26. On 3/18/96 the Clerical-  
(date)

Technical unit ratified the language of this policy, as indicated  
below:

Todd A. Brissenden  
President, Line-Station-Meter  
Todd Brissenden

Peter L. Hodges  
President, Clerical-Technical  
Peter Hodges

\_\_\_\_\_

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

Revision No. 2

Commission Vote Date 6-21-2018

  
General Manager/Date

6-21-2021  
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, 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. Manager of Information Technology. The Manager 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. Human Resources Manager. The Human Resources Manager shall be responsible for assisting the General Manager and/or Manager 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 is 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 primarily 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. More frequent personal use of RMLD information systems shall require prior authorization.

B. Examples of Permitted Uses.

**1. Examples of appropriate workplace use:**

- Internal communications with other RMLD employees and/or Commissioners relating to business matters.
- External communications with customers, professional associations, vendors, outside professionals, etc.
- Accessing information for appropriate business purposes such as, researching business-related topics;
- Managing services and customer accounts;
- Conducting online transactions, to the extent authorized;
- Posting notices and information authorized by RMLD;
- Accessing the Internet for RMLD-related reasons; and
- As otherwise authorized or necessary or convenient to perform one's job duties.

**2. Examples of permitted personal use:**

- brief communications with family members;
- brief communications with coworkers for personal matters, such as for lunch plans and breaks;
- brief checks of traffic, weather, or other news;
- for academic assignments in connection with RMLD's tuition reimbursement program – Policy No. 17, provided such use occurs during non-working hours; and
- for appointment scheduling and reminders.

Useful rule of thumb: when in doubt, "ask".

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:

- 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 anti-virus software, and all 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. Use of Existing Software. RMLD employees and Commissioners are permitted to use RMLD software already installed on the computer for personal business consistent with this policy as long as the use or data will not significantly interfere with the overall capacity of the computer for its originally intended purposes.
- D. 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.

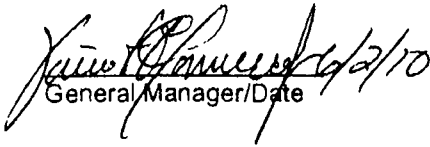
- E. Passwords. Passwords are confidential and should be treated as such. Employees and Commissioners should not disclose their passwords to others and should change them periodically. Any unauthorized access to another employee's e-mail account, data files and voice mail is prohibited and may result in disciplinary action up to and including termination.
- F. Transmission of Confidential Information. Confidential customer or employee information (e.g., social security numbers, account and credit card information) shall only be transmitted through secure or authorized means.
- G. 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.

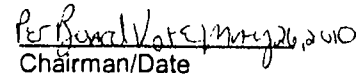
Revision No. \_\_\_\_\_

RMLD Policy No. 29

Effective Date May 24, 2010

**Identity Theft Prevention Policy**

  
General Manager/Date

  
Chairman/Date

**I. PURPOSE**

The purpose of this policy is to develop and implement a written identity theft prevention program. The Federal Trade Commission has issued regulations requiring municipal utilities to develop and implement written identity theft prevention programs under the Fair and Accurate Credit Transaction Act of 2003 (FACTA), 16 CFR § 681.2. These identity theft prevention programs must provide for the identification, detection, and response to patterns, practices or specific activities that could indicate identity theft.

In addition, the Identity Theft Prevention Program, (the Program) must provide for a periodic updating process to reflect changes in risks to customers and employees.

**II. RESPONSIBILITIES**

**A. RMLD Board of Commissioners**

1. Responsible for directing the General Manager to follow the FACTA process at the RMLD as required.

**B. General Manager**

1. Responsible for overall implementation of this policy and appointing a senior level manager, who will be the Accounting/Business Manager and will be in charge of the Program.
2. Responsible for ensuring that an annual report is prepared and presented to the Board of Commissioners.

**C. Accounting/Business Manager**

1. Will have overall responsibility for the Program.
2. Will appoint a Program Administrator, who will be the MIS Manager, to develop and administer the Program.

**D. MIS Manager**

1. Will act as the Program Administrator of the Program. Responsible for developing, implementing and updating the Program including guidelines for employees to follow in preventing, detecting, reporting, and investigating instances of identity theft. Ensure appropriate training of RMLD staff, reviewing any reports regarding the detection of identity theft and the steps for preventing and mitigating identity theft.
2. Will periodically review and update this program to reflect changes in risks to customers and employees by considering the RMLD's experiences with identity theft situations, changes in detection and prevention methods and changes in RMLD's business arrangements with other entities.
3. Will annually present a report to the Board of Commissioners on effectiveness of the program.



E. RMLD Staff

1. Responsible for ensuring that the policy is adhered to by all employees in order to prevent, detect, report, and investigate instances of identity theft and to comply with applicable Federal and Massachusetts laws.
2. Staff will prepare a report at least annually for the Program Administrator's review, including an evaluation of the effectiveness of the Program with respect to opening accounts, existing accounts, service provider arrangements, personnel records, significant incidents involving identity theft and responses, and recommendations for changes to the Program.

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

**Revision No. 1**

  
\_\_\_\_\_  
coleen.obrien (Mar 9, 2021 11:37 EST)  
**General Manager/Date**

**Mar 9, 2021**

\_\_\_\_\_  
February 24, 2021  
**Commission Vote Date**

\_\_\_\_\_  
February 2024  
**Next Review Date**

**I. PREAMBLE**

- A. Established in 1894, Reading Municipal Light Department is a public power, not-for-profit electric utility that serves its four communities.
- B. Public power means local control and local decision-making. Our customers help determine our electric rates and the policies and programs that meet local needs.
- C. RMLD's electric rates reflect our customers' priorities as expressed in RMLD's Customer Satisfaction Surveys and adopted Mission and Vision statements:
  - a. Reliability — Customers expect and value excellent electric reliability.
  - b. Low Cost of Electricity — Customers value low-cost electricity.
  - c. Greenhouse Gas Reduction Goals — Our environmentally-conscious community wants RMLD to set greenhouse gas reduction goals while having little to no impact on rates.
  - d. RMLD's electric rates also reflect RMLD's franchise obligations. As a municipal light plant, RMLD is a public service corporation, having a legal franchise obligation to provide low-cost, reliable electric service to its ratepayers.
- D. Consistent with RMLD's customers' priorities and its franchise obligations, the RMLD adopts the following Policy addressing renewable and sustainable energy:

**II. PURPOSE**

- A. To establish general policy guidelines to aggressively pursue practical and cost-effective renewable and GHG reduction 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 pertaining to GHG power procurement requirements
- B. To provide an opportunity for customers who wish to go above and beyond RMLD's other greenhouse gas reduction energy goals and requirements.

**III. RESPONSIBILITIES**

- A. RMLD Citizens' Advisory Board
  - 1. Review and comment expeditiously on power purchase contracts recommended by the General Manager under this Policy.

- B. RMLD Board of Commissioners
  1. Responsible for approving this Policy every three years by December 31 of the third year.
  2. Review and comment expeditiously on power purchase contracts recommended by the General Manager under this Policy.
  3. Review, deliberate and vote on deviations and changes to this Policy.
- C. General Manager
  1. Responsible for implementing this Policy.
  2. Present power purchase contracts covered by this Policy to the RMLD Citizens' Advisory Board and the RMLD Board of Commissioners for review and comment.
  3. Present monthly updates to the RMLD Board concerning the RMLD's compliance and ability to comply with this Policy and any deviations or changes established by the RMLD Board, which will include impacts on cost and reliability.

#### IV. **POLICY ELEMENTS**

- A. The RMLD shall comply with all applicable law pertaining to renewable and GHG reduction power procurement requirements, including, but not limited to, so-called Roadmap 2050 requirements while balancing its customer priorities and franchise obligations. The RMLD shall strive to make incremental changes on an annual basis, where possible, to mitigate potential rate shock. Roadmap 2050 requirements that are applicable as of the date of this Policy are attached hereto as Attachment 1.
- B. 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 renewable energy certificates ("RECs") for an additional monthly fee. Customer REC purchases 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 to reduce greenhouse gas emissions. The program will be developed as a tariffed rate.
- C. In order to balance RMLD's customer priorities and franchise obligations with compliance with all applicable laws pertaining to renewable and GHG reduction power procurement requirements, the General Manager may retain or may market RECs as she/he deems to be in the best interest of the RMLD and in compliance with all applicable law.
- D. If applicable laws pertaining to renewable 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.
- E. The RMLD Board may vote on changes to this Policy from time to time, and any changes to Attachment 1 shall be set forth below as shown and updated on Attachment 2.

## RMLD POLICY 30

### ATTACHMENT 1 – Update 1

#### ROADMAP to Net-Zero Carbon by 2050

(a.k.a., S.9 or MLP GGES Legislation, amending chapter 25A)

Legislation effective (XX/XX/XXXX)

<b>Provision</b>	<b>Key Elements</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 renewable or greenhouse gas reduction resource of generation under this Policy); and (11) any other generation qualifying as special cases per this Legislation.
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 renewable 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 renewable or greenhouse gas reduction resource of generation under this Policy)	02/24/2021

## **RMLD Policy No. 31 VEHICLE USE POLICY**

**Revision No.1**

Commission Vote Date 6-21-2018

  
General Manager/Date

6-21-2021  
Next Review Date

### **I. PURPOSE**

This policy establishes the rules and procedures for the use of vehicles owned, rented or leased by the Reading Municipal Light Department ("RMLD") and for the use of personal vehicles by RMLD employees while on RMLD official business. It is the goal of RMLD to promote the safety of its employees and the general public, to protect its vehicles and other property from damage, and to prevent the misuse of RMLD vehicles consistent with applicable laws, codes, regulations, and RMLD's policies.

### **II. DEFINITIONS**

- A. 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.
- B. The term, "official business" encompasses all activities involving the performance of the employee's duties, whether during regular working hours or on-call, including travel between RMLD and job sites and/or RMLD business functions, meetings, or other events. "Official business" does not include personal activities engaged in by the employee during break periods and commuting to and from work.
- C. The term, "operate" or "operating" or similar terms, encompasses driving, occupying the vehicle while the vehicle is running even if in parked position, operating equipment on the vehicle, e.g., lifts, and all other activities associated with the operation of a vehicle, including load and unloading the vehicle.
- D. The term, "vehicle" encompasses all automobiles, trucks, any utility equipment requiring an operator, and any other motorized vehicle used to transport persons or property.



### III. **RESPONSIBILITIES**

- A. **General Manager.** The General Manager is responsible for overall enforcement of this policy, including imposing disciplinary or corrective action for violations or to address safety concerns.
- B. **Management Personnel.** All RMLD managers and supervisors are responsible for monitoring RMLD employees under their direction or supervision for compliance with this policy and for reporting any suspected violations or concerns 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 who operate RMLD vehicles have the required licenses and certifications and for administering drug and alcohol testing in accordance with RMLD's Policy 26 and relevant collective bargaining agreements.
- D. **RMLD Employees.** All RMLD employees, including both drivers and passengers in RMLD vehicles or personal vehicles while on official business, shall be responsible for compliance with this policy.

### IV. **GENERAL VEHICLE OPERATION AND SAFETY RULES**

- A. Drivers must have a valid driver's license of the appropriate class to operate RMLD vehicles. Employees who operate RMLD vehicles are required to notify their supervisors and the Human Resources Manager immediately if his/her driver's license expires without renewal, driving privileges are revoked or suspended, or the employee is convicted of a crime involving a moving vehicle violation. Employees must carry a valid license and RMLD identification whenever using an RMLD vehicle.
- B. RMLD vehicles shall be used only for official business and as expressly authorized. Employees who are assigned an RMLD vehicle for his/her full shift may use the RMLD vehicle during meal breaks for incidental personal use. Vehicles shall not be used to travel to liquor stores, drinking establishments, or in a manner which may erode the public's trust and confidence. Employees acknowledge and understand that using public equipment or resources for personal use without proper authorization constitutes use of an official position to obtain an unwarranted privilege in violation of state ethics laws, G.L. c. 268A.
- C. The driver shall operate RMLD vehicles in a safe and responsible manner and shall observe all state laws and rules and regulations for safe driving as defined by the Commonwealth of Massachusetts or the state in which the driver is operating the vehicle, including all speed limits. In the absence of specific laws, rules, or

regulations, the driver shall exercise caution and good judgment as a reasonable person would exercise under like circumstances.

- D. Seat belts must be used at all times.
- E. The driver shall comply with the Massachusetts Anti-Idling Law. 310 CMR 7.11(1)(b) states: "No person shall cause, suffer, allow or permit the unnecessary operation of the engine of a motor vehicle while said vehicle is stopped for a foreseeable period of time in excess of five minutes. Exemptions from five-minute limit include:
  - Vehicles being serviced, provided that operation of the engine is essential to the proper repair thereof;
  - Vehicles engaged in the delivery or acceptance of goods, wares, or merchandise for which engine assisted power is necessary and substitute alternate means cannot be made available, or
  - Vehicles engaged in an operation for which the engine power is necessary for an associated power need other than movement and substitute alternate power means cannot be made available provided that such operation does not cause or contribute to a condition of air pollution.

Failure to comply with the anti-idling regulation is punishable by statutory fines ranging from \$100 to \$25,000 and applies to all motor vehicles.

- F. All RMLD employees shall be responsible for adhering to RMLD's drug and alcohol policies. If an employee suspects that a driver is under the influence of controlled substances or alcohol or is otherwise impaired, the suspecting employee should not get into the vehicle and shall report his/her suspicions to his/her supervisor immediately. Employees who suspect that a driver is under the influence of controlled substances or alcohol or is otherwise impaired and reports such suspicions shall not be punished or retaliated against in any way for reporting concerns.
- G. The driver shall notify Human Resources promptly if the driver is issued a parking or traffic ticket while operating an RMLD vehicle. The driver shall be responsible for the payment of all fines, penalties, fees, and costs associated with such violation or ticket, regardless of the circumstances. As applicable, drivers who are issued a moving violation shall be subject to drug and alcohol testing in accordance with RMLD Policy No. 26 or their collective bargaining agreement, as applicable.
- H. In the event of an accident, employees shall follow the procedures set forth in Section V below.
- I. The driver is responsible for the cleanliness of his / her assigned vehicle and should safeguard RMLD vehicles at all times. The driver should never leave RMLD vehicles

unattended with the ignition key in the lock or anywhere inside or on the vehicle. The driver shall turn off the ignition, close all windows, and lock doors whenever an RMLD vehicle is left unattended. RMLD is not responsible for the loss of any personal property while using an RMLD vehicle or personal vehicle for official business.

- J. Employees shall notify their supervisors promptly upon the detection of any damage to an RMLD vehicle or of any known or suspected mechanical problems or safety issues associated with an RMLD vehicle or loss of or damage to equipment or tools associated with an RMLD vehicle.
- K. Employees may be required to keep a log or other records of RMLD vehicle use.

**V. PROHIBITED CONDUCT**

- A. Use of all cell phones and any other hand-held devices by the driver while operating an RMLD vehicle shall be in compliance with applicable law. The driver shall not read any content or send any content on any cell phone or other hand-held device, including, but not limited to, text or email messages or other internet or app information while operating an RMLD vehicle. Except for hands-free operation, the driver shall not make or receive any voice calls or otherwise physically manipulate any cell phone or other hand-held device (excepting 450 MHz radios) while operating an RMLD vehicle. The driver may pull over to the side of the road or otherwise stop and park the RMLD vehicle out of traffic and operate and use cell phones and other hand-held devices in compliance with this policy. This prohibition applies even if the vehicle is at a stop light, stop sign or traffic is at a standstill. GPS devices for routing directions should be set while in a parked position. In case of emergency or other need to utilize a cell phone or other handheld device, the driver should pull over to the side of the road or other safe area before using the device if a passenger is not available to operate the device.
- B. No employee shall operate an RMLD vehicle or use a personal vehicle for official business while under the influence of a controlled substance or alcohol. This prohibition applies even if the employee's blood alcohol level is within the legal limit.
- C. No employee shall have or transport controlled substances or alcohol in any RMLD vehicle. This prohibition applies even if the container is unopened and sealed.
- D. Employees are cautioned that certain prescription and non-prescription drugs (over-the-counter medication) may impair their ability to operate a motor vehicle. No employee shall operate an RMLD vehicle or a personal vehicle for official business if impaired by prescription or over-the-counter medicines. Employees whose duties involve the operation of vehicles may be required to obtain a statement from the employee's prescribing physician that the use of

prescription or non-prescription drugs in accordance with their instructions or other medical direction will not impair the employee's ability to operate the vehicle. Additional rules and requirements may apply under RMLD's drug and alcohol policies.

- E. Smoking is prohibited in all RMLD vehicles, including cigarettes, cigars, pipes, e-cigarettes, vaporizers or similar device. Please refer to RMLD's Smoking Policy, Policy No. 4.

## **VI. ACCIDENT PROCEDURES**

- A. When an accident occurs, the driver shall take all reasonable steps and precautions under the circumstances for the safety of the driver, passengers, and other persons involved in the accident. In general, the driver shall take the following actions, the sequence of which will depend on the severity of the accident, whether injuries are involved and other circumstances:
  - 1. Stop the vehicle at or near the scene of the accident. Pull over to the side of the road if possible for safety purposes;
  - 2. Contact police or emergency personnel, particularly when personal injuries or significant damage is involved;
  - 3. Immediately contact the employee's supervisor, report details and follow any instructions given by the supervisor. If the employee's supervisor is not available, contact the department manager, the Human Resources Manager or the General Manager;
  - 4. Obtain and record the information required on the accident form found in the glove compartment of each RMLD vehicle. A copy of the accident form is attached hereto as Attachment A;
  - 5. Submit completed accident form to and Materials Manager;
  - 6. Complete any and all accident reports required by authorities and/or RMLD; and
  - 7. Do not admit liability; however, the employee(s) involved may answer questions asked by police regarding the accident.
- B. The employee may be subject to post-accident drug and alcohol testing as required by applicable laws, regulations, and RMLD policies and relevant collective bargaining agreements. After a work-related accident: (a) involving loss of human life; or (b) a moving traffic citation issued to the RMLD driver, the RMLD driver will be transported and will be tested for alcohol and controlled substances.

- C. Employees may seek outside counseling and assistance by contacting the EAP, AllOne Health at (800) 451-1834.

**VII. DISCIPLINARY AND REMEDIAL ACTIONS**

- A. Employees may be subject to disciplinary action, up to and including termination from employment for any violations of this policy. In addition to or in the alternative, the General Manager, in her discretion, may require employees to undergo motor vehicle operator training and instruction.
- B. The General Manager may establish additional vehicle use procedures and guidelines for the safety of RMLD employees and its property.

ATTACHMENT A  
ACCIDENT FORM  
[See next page]

# AUTOMOBILE ACCIDENT REPORT

This form must be completed on all accidents, but if your  
ACCIDENT RESULTED IN SEVERE INJURIES OR FATALITIES  
You must also call Liberty Mutual Emergency Line:  
800-362-0000



Public Utilities Risk Management Association

## POLICYHOLDER

PURMA Member / Utility / Policyholder Name	Location Code	Policy Number	Phone
Business Address	City	State	Zip Code

## POLICYHOLDER VEHICLE

Vehicle Year, Make, Model	Vehicle VIN	License Plate No./State
Trailer Year, Make, Model	Trailer VIN	License Plate No./State
Description of Damage to Vehicle		

## DATE, TIME, AND PLACE

Date of Accident	TIME:	AM <input type="checkbox"/>	PM <input type="checkbox"/>	Exact Location of Accident or Loss (Include cross streets, mile-markers, etc.)
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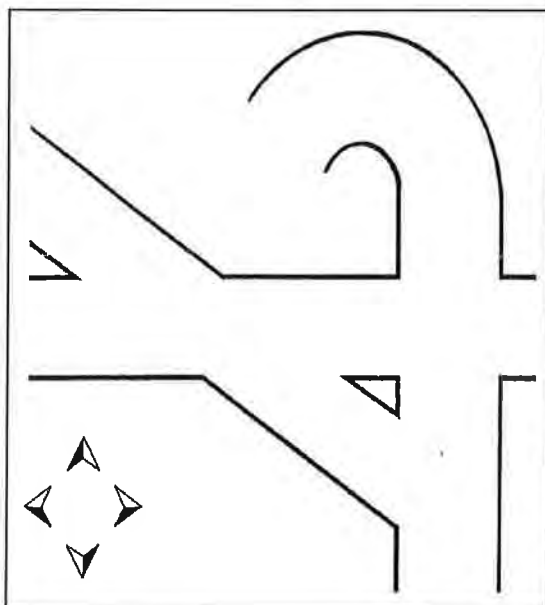
## DRIVER OF POLICYHOLDER VEHICLE

Driver's Name and Address, City, State, Zip				Phone
Driver's License No./State	Sex	Date of Birth	Social Security Number	Work Phone

## ACCIDENT INFORMATION

Driver's Description of Accident


Illustrate how the accident occurred.  
Label vehicles and street names:



Was Police Dept. Involved?	yes <input type="checkbox"/>	no <input type="checkbox"/>	Department Name
Citations Issued?	yes <input type="checkbox"/>	no <input type="checkbox"/>	To Whom
Witness Name			
Witness Address		Phone	
Additional Comments			

OTHER VEHICLES INVOLVED (not Policyholder Vehicle)											
VEHICLE 1						VEHICLE 2					
Owner Name				Sex		Owner Name				Sex	
Owner Address, City, State, Zip						Owner Address, City, State, Zip					
Home Phone			Business Phone			Home Phone			Business Phone		
D.O.B.		Age		Social Security Number		D.O.B.		Age		Social Security Number	
Vehicle Year, Make, Model			License Plate/State			Vehicle Year, Make, Model			License Plate/State		
[Trailer Year, Make, Model			License Plate/State			Trailer Year, Make, Model			License Plate/State		
Vehicle VIN			Trailer VIN			Vehicle VIN			Trailer VIN		
Insurance Company			Policy Number			Insurance Company			Policy Number		
Insurance Company Phone No. / Agent Name						Insurance Company Phone No. / Agent Name					
Operator Name				Sex		Operator Name				Sex	
Opera or Address, City, State, Zip						Operator Address, City, State, Zip					
Home Phone			Business Phone			Home Phone			Business Phone		
Driver's License No./State						Driver's License No./State					
D.O.B.		Age		Social Security Number		D.O.B.		Age		Social Security Number	
Passenger Name			Injured?			Yes			No		
						<input type="checkbox"/>			<input type="checkbox"/>		
Passenger Name			Injured?			Yes			No		
						<input type="checkbox"/>			<input type="checkbox"/>		
Was Vehicle Parked?      Yes <input type="checkbox"/> No <input type="checkbox"/>						Was Vehicle Parked?      Yes <input type="checkbox"/> no <input type="checkbox"/>					
Description of Damage to Vehicle						Description of Damage to Vehicle					
Any Damage to Property Other than Vehicles? (i.e.: building, fence, sign, etc.)						Any Damage to Property Other than Vehicles? (i.e.: building, fence, sign, etc.)					
Property Owner Name						Property Owner Name					
Property Owner Address, City, State, Zip						Property Owner Address, City, State, Zip					
Description of Damage to Property						Description of Damage to Property					

**Submit the completed form along with any additional information to: FAX: 401-431-9684**  
**Starkweather & Shepley**  
**Attention: Nichole Magnifico, Assistant Claims Manager**  
**P.O. Box 549**  
**Providence, RI 02901-0549**