

AGREEMENT

BETWEEN

School Committee of the Town of

Foxborough

And

Foxborough Extended Day Staff

July 1, 2022 – June 30, 2025

MEMORANDUM OF AGREEMENT

EXTENDED DAY STAFF – WAGES, BENEFITS, AND CONDITIONS OF EMPLOYMENT

The Foxborough School Committee (the Committee) and the Foxborough Extended Day Staff (Extended Day) hereby agree to a three-year agreement to be in effect from September 1, 2022 through August 31, 2025.

Full-time Employee

An employee who works forty (40) hours per week and fifty-two (52) weeks per year exclusive of legal holidays and authorized leaves of absences.

Permanent Part-time Employee

An employee who works at least twenty (20) hours per week, but less than forty (40) hours per week for the work year.

Seasonal or Part-time Employee

An employee who works less than twenty (20) hours per week for the work year.

Substitute Employee

An employee who works on an as needed basis.

Benefit Entitlement and Accrual

All benefits entitlement and accrual shall cease when an employee is, for any reason, in an unpaid status or has been in non-work status for sixty (60) consecutive working days or more. This shall include accrual of personal days and sick leave days.

SICK LEAVE

- A. Full-time and permanent part-time employees shall accrue sick leave at a rate of 1.5 days per month for each month worked during the school year cumulative to one hundred eighty (180) days. Sick leave may be used only in the case of sickness of the employee personally, with the exception that full-time and permanent part-time employees may use a total of five (5) sick days annually to care for an immediate family member. A doctor's certificate may be required at the discretion of the Superintendent or designee.
- B. Seasonal or Part-time employees that work a minimum of 15 hours but less than 20 hours shall accrue sick leave at a rate of .5 days per month for each month worked for a maximum of five (5) earned sick days during the school year. A maximum of Five (5) days may be carried forward to next year school year. Sick leave may be used only in the case of sickness of the employee personally or to care for an immediate family member. A doctor's certificate may be required at the discretion of the Superintendent or designee.
- C. Full-time and permanent part-time Extended Day Worker who retires from employment under the state/county retirement system after completion of ten (10) years of continuous employment with the Committee shall receive at the time of her/his separation from employment a lump sum payment determined by multiplying fifty percent (50%) of the number of accumulated sick days at the time of retirement, not to exceed ninety (90) days by thirty-five (\$35.00) dollars.
- D. Full-time and permanent part-time Site Supervisor who retires from employment under the state/county retirement system after completion of ten (10) years of continuous employment with the Committee shall receive at the time of her/his separation from employment a lump sum payment determined by multiplying fifty percent (50%) of the number of accumulated sick days at the time of retirement, not to exceed ninety (90) days by forty-five (\$45.00) dollars.

- E. In the event an employee with at least ten (10) years of continuous service shall die while in the employment of the Committee, there shall be paid to her/his designated beneficiary or to her/his estate a lump sum payment determined by multiplying fifty percent (50%) of the number of accumulated sick days, not to exceed 90 by either thirty (\$30.00) dollars if an Extended Day Worker or forty (\$40.00) dollars if a site Supervisor at the time of their death.

PERSONAL LEAVE

- A. All full-time and permanent part-time Extended Day employees shall be entitled to three (3) personal leave days per year, without loss of pay. Personal leave days are provided for the purpose of attending to matters that cannot be reasonably attended to outside of the normal work day. It is recognized that the regular attendance of staff contributes significantly to the quality of the program; therefore, personal leave should be held to a minimum. Staff will use discretion in using such days, and such days should not be used for personal recreation, leisure activities, or outside occupation. Consideration will be given for special family circumstances or celebrations. Unused personal leave days shall be rolled into accumulated sick days at the end of the school year. Personal leave may be used for the following purposes to the extent indicated:

1. Sickness of a member of the family, necessitating the presence of employee, when she/he has exhausted family sick leave.
2. Urgent family or personal obligation of an emergency nature (not more than one day).

Requests for personal leave under items 1. and 2. above must be submitted in writing, stating the reason and at least 24 hours in advance, except in the case of an emergency, to the School Business Administrator via the Extended Day Programs Manager. Personal leave days, except in the case of emergency and unavoidable conditions, shall not be taken the day before or the day after a holiday, or to extend a school vacation week, or on a day in which the employee is not in pay status.

- B. Employees shall be entitled to three (3) bereavement days per year for a death in their immediate family. This shall include grandparents, parents, parents-in-law, spouse, brothers, sisters, children, step children, grandchildren, and any other relative who is a member of the employee's household.
- C. All female employees shall be granted a maternity leave of absence, without pay, of up to eight (8) weeks during the work year without loss of seniority, work assignments, or any other benefit to which the employee would be entitled. Employees would be required to maintain their medical insurance, life insurance, etc. for the duration of the leave. This leave may be extended to twelve (12) weeks at the discretion of the Superintendent. Requests for such leave must be made in writing.

FRINGE BENEFITS

All full time and permanent part time Extended Day employees will be eligible to participate in the health and life insurance plans made available by the Town of Foxborough. Extended Day employees who work a minimum of twenty (20) hours per week must become members of the Norfolk County Retirement System.

WORK YEAR

The work year of an Extended Day employee is defined as the number of days that school is in session, plus one day preceding the opening of school. Up to two (2) additional work days may be required as deemed necessary by the Extended Day Program Manager and approved by the Superintendent or designee for Professional Development opportunities.

February and April school vacation programs are voluntary. Staff interested in working these programs will be paid and selected based on the schedule outlined in Appendix B.

Assignments

Site assignments are based on the needs of the program. Employees will be informed in writing of their work assignment by July 31st of each year. Any changes in assignments throughout the year will be communicated as soon as possible to the employees involved.

SALARY SCHEDULE

Salaries will be paid hourly for all workers (see Appendix A.) The salary schedule for Extended Day personnel is voted on and approved by the School Committee. The employees will be informed in writing on the first pay period in September of the current status of their benefits and salaries.

Planning/Prep Time

Extended Day staff (*) will be compensated for planning and prep time (**) based on the following schedule;

Full time Supervisor – 2 hours per week

Part time Supervisor – 1 hour per week

Full time Extended Day Staff – 1 hour per week

Part time Extended Day Staff – .5 hours per week

* - Planning/prep time does not apply to one to one staff member

** - Planning/prep time for group activities implemented in the program

Temporary Assignments:

An Extended Day Worker, who temporarily assumes and performs the full duties and responsibilities of a Site Supervisor shall be compensated at the hourly rate of step one (1) on the Site Supervisor salary scale for the time they assume the temporary assignment.

The hourly rate of pay for a substitute employee will be set at step one (1) of the Extended Day Worker salary scale.

Stipend for Early Education and Care (EEC) certification, Teaching License or College Degree in Education

A five hundred (\$500.00) stipend will be paid at the end of each school year for all Full-time or Permanent Part-time Employees who hold an Early Education and Care (EEC) Lead Teacher – Pre-school certification or who hold a valid teaching licenses or who have an associate, bachelors or master's degree from an accredited program.

PROBATIONARY PERIOD

The first ninety (90) days of continuous employment of an employee shall constitute her/his probationary period. No suspension, discipline, or dismissal made during an employee's probation period shall be construed as a violation of any of the provisions of this Agreement or shall be subject of a grievance proceeding hereunder. With the exception of health insurance, no employee will be eligible for any benefits until the completion of the probationary period.

LONGEVITY PAYMENTS

All full time and permanent part time Extended Day employees will receive Longevity payments will be as follows:

7 years of service – additional \$.20/hour – begins 8th year

15 years of service – additional \$.20/hour – begins 16th year

20 years of service – additional \$.20/hour – begins 21st year

25 years of service – additional \$.20/hour – begins 26th year

JURY DUTY

Employees required to perform jury duty shall receive leave with pay for the duration of such duty. The employee will be paid her/his regular compensation without interruption. The employee must present evidence of the amount of

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compensation received for jury duty and turn over such compensation, exclusive of the amount received for travel, to the Town.

JOB OPENINGS

Should a position become available (temporary or permanent) or a reduction in force become necessary, the decision will be made on the basis of performance, qualifications and seniority. If performance and qualifications are determined to be substantially equal, then seniority shall prevail.

PERSONAL PROTECTION

Any employee who is absent from work as the result of a personal injury, which is incurred in the course of her/his employment and which is compensable under the provision of the Massachusetts Workers Compensation Act shall, upon her/his written request to the Superintendent, receive as a charge against his/her accrued sick leave the difference between her/his current salary and the amount she/he receives as worker's compensation.

ASSAULT

Extended Day employees will immediately report in writing all cases of physical or verbal assault suffered by them in connection with their employment as an Extended Day employee. This signed written report shall be filed with the Extended Day Program Manager and the School Business Administrator. Within five (5) working days of filing said written report, the School Business Administrator or designee, the Extended Day Program Manager or designee, and the employee who was subject to the assault will meet to review the incident and to discuss preventative measures. The School Business Administrator will consider any reasonable request from the employee for information relating to the incident and the individual(s) involved in accordance with existing policies.

COMPLAINT AGAINST EMPLOYEE

- A. An Extended Day employee will be notified within five (5) working days of receipt by the school administration of a written complaint about her/his performance as a Extended Day worker. Within five (5) working days of said notification, the affected employee and the Extended Day Program Manager will meet to discuss the written complaint. This initial meeting to review a written complaint filed about a Extended Day employee will include the employee and the Extended Day Program Manager. No student(s), parent(s), complainant(s), nor any other outside party will be present at this initial meeting unless mutually agreed upon by the affected employee and the Extended Day Program Manager.
- B. If the meeting defined in Section A above does not resolve the matter to the satisfaction of the employee, then the employee may request in writing a meeting with the Business Administrator to discuss the written complaint.
- C. If the meeting defined in Section B above does not resolve the matter to the satisfaction of the employee, then the employee may request in writing a meeting with the Superintendent of Schools to discuss the written complaint. The decision of the Superintendent on this matter will be final.
- D. The Superintendent reserves the right, at her/his own discretion, to intervene at any step of the process or to bring the matter to the Superintendent's level should circumstances warrant.
- E. If a written complaint is to become a part of the employee's permanent personnel record, she/he will be so advised and given the opportunity to respond in writing. Her/his written response will become a part of the employee's permanent personnel record. The employee shall be provided a copy of the written complaint, provided she/he signs an acknowledge receipt of said complaint. No anonymous complaint will become a part of an employee's permanent personnel record.

COMPLAINT BY EMPLOYEE

- A. Any Extended Day employee who has a complaint arising out of her/his working conditions may request in writing a meeting with the Extended Day Program Manager. The written request shall contain at a minimum the employee's name, location(s) of duties, time(s) of duties, and a description/explanation of her/his complaint.

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Appendix B Vacation Week Salary & Compensation

Wages:

All staff who sign up and are scheduled to work during February and April School vacation weeks will be paid at their base pay rate plus \$2.00 an hour.

Planning & Shopping Time

Site Supervisors

Planning Time of 2 hours per week (Based on full week attendance)

Shopping Time 1 hour per week (morning Site Supervisor – craft supplies)

Shopping Time 2 hours per week (afternoon Site Supervisor – craft & snack supplies)

Extended Day Staff

Planning time assigned as needed by Site Supervisor (.25 hours per day)

Break Time

Vacation week shifts are typically set to 5.75 hours, as it is hard for staff to take a 15 minute break due to responsibility of children under their care. Fifteen (15) minutes will be added to all employees who work more than 4 hours if they don't take a break.

Vacation Week Rotation Schedule

Site Supervisor

Vacation period staffing will be determined by a rotating schedule based on seniority. There will be a separate AM and PM rotation due to the small number of site supervisors, to assure fair distribution of shifts. Vacation work is on a volunteer basis. Two master lists of Site Supervisors in seniority order will be maintained by the Extended Day Manager. Work will be offered on a rotating seniority basis prior to the vacation week. If a staff member chooses to work when it is offered to them they will be shuffled to the bottom of the rotation. If a staff member chooses not to work an assignment the next person on the list will be asked and the original person will remain at the top of the list. Each time there is an opportunity to select work the offering will start at the top of the list. The list is continuous from year to year. If a Site Supervisor selects the AM shift when it is their turn they can not select a PM shift during the same vacation period; they will retain their position on the PM list. This is also true if a PM shift is selected first they can not also select an AM shift.

Staff

Vacation period staffing will be determined by a rotating schedule based on seniority. The Extended Day Manager will determine staffing requirements based on parent sign-up and current Extended Day protocol. Vacation week work is on a volunteer basis. A master list of all staff members will be maintained by the Extended Day Manager in seniority order. Work will be offered in a rotating seniority order basis prior to the vacation week. If a staff member chooses not to work the vacation period they will be skipped and the next most senior person will be offered the assignment. The list is a continuous rotation; once the last person on the list has been exhausted the list will restart at the beginning of the list. The list is continuous from year to year.

Within five (5) working days of receipt of said written request, the Extended Day Program Manager shall meet with the employee to discuss the complaint. The Extended Day Program Manager will provide the employee with a response to her/his complaint within five (5) working days of their meeting.

- B. If the process outlined in Section A above does not resolve the matter to the satisfaction of the employee, then the employee may request in writing a meeting with the School Business Administrator to discuss the complaint. Within five (5) working days of receipt of said written request, the Business Administrator shall meet with the employee to discuss the complaint. The School Business Administrator will provide a written response to the employee's written complaint within five (5) working days of the meeting.
- C. If the process outlined in Section B above does not resolve the matter to the satisfaction of the employee, then the employee may request in writing a meeting with the Superintendent of Schools to discuss the complaint. Within ten (10) working days of receipt of said written request, the Superintendent shall meet with the employee to discuss the complaint. The Superintendent will provide a written response to the employee within ten (10) working days of the meeting. The decision of the Superintendent on this matter will be final.
- D. The Superintendent reserves the right, at her/his own discretion, to intervene at any step of the process or to bring the matter to the Superintendent's level should circumstances warrant.
- E. This complaint process will at no time be used to change, modify or alter the existing policies pertaining to Extended Day employees. The complaint process, as herein outlines, will be utilized to address valid complaints of employees in order to clarify the intent of the existing policies.

PERSONNEL FILE

Employees will have the right to review the contents of their personnel file, by appointment, during reasonable working hours, in the company of the Superintendent or her/his designee. An employee may obtain copies of the material contained within her/his personnel file at her/his own expense. A representative of the employee's choice may accompany the employee during such review if she/he so elects.

For the Committee:

Brent Ruter

Brent Ruter, School Committee Chairperson

Date: 6/15/2022

For Extended Day Staff:

Ava M. Buehler
Karen A. Solomon
T. Kelly

Date: 06/15/2022