

7.07 Return to Work

When an employee has been granted court leave for jury duty or witness service, and is excused by proper court authority, the employee shall report back to official place of duty whenever the interruption in jury duty or witness service will permit four (4) or more consecutive hours of employment.

7.08 Employment Rights

Court leave shall not affect employment rights, opportunities or benefits.

8.00 OTHER LEAVE

8.01 Bereavement Leave

~~A. Full-time and regular part-time employees shall be granted a leave of absence with pay for a maximum of four days upon~~ Upon evidence satisfactory to the Appointing Authority of the death of a spouse, child, step-child, parent, step-parent, brother, sister, grandparent, grandchild, spouse's parent, a person for whom the employee is the legal guardian, a person for whom the employee is primarily responsible for making funeral arrangements or a person living in the employee's household. This leave may:

Spouse Child

Foster child

Step-child living in household

An employee shall be entitled to a maximum of seven (7) days of leave without loss of pay to be used, at the option of the employee, within thirty (30) calendar days from the date of the death of a child and within ninety (90) calendar days from the date of the death of the employee's spouse.

B. Upon evidence satisfactory to the Appointing Authority of the death of:

Parent

Step-parent Brother

Sister

Grandparent

Grandchild

Person for whom the employee is legal guardian

Parent of spouse

Child of spouse

Person living in household

An employee shall be entitled to a maximum of four (4) days of leave without loss of pay to be used at the option of the employee within thirty (30) calendar days from the date of said death.

C. Upon evidence satisfactory to the Appointing Authority of the death of:

Grandparent in-law

Grandchild in-law

Brother in-law

Sister in-law

An employee shall be granted one (1) day of leave without loss of pay to attend the funeral.

In extraordinary circumstances, at the discretion of the ~~appointing authority~~ Appointing Authority or Personnel Administrator, bereavement leave may be used after ~~thirty (30) calendar days from the date of death~~ periods of time described above.

~~Upon evidence satisfactory to the Appointing Authority, an employee shall be granted one (1) day of leave without loss of pay to attend the funeral of the brother, sister, grandparent or grandchild of the employee's spouse.~~

8.02 Funerals of Veterans

Veterans who are members of firing squads, color details, pallbearers, buglers or escorts shall be granted leave of absence with pay to participate in funeral services for other veterans.

8.03 Inoculations

Employees shall be granted leave of absence with pay for loss of time due to prophylactic inoculation required as a result of their employment. If such leave with pay exceeds one (1) week, the Appointing Authority shall immediately initiate a ~~Workers'~~ **Workers'** Compensation claim, and paid leave because of such prophylactic inoculation shall cease.

8.04 Quarantine

Employees shall be granted leave of absence with pay for the period of absence due to quarantine because of exposure to contagious disease in the regular performance of duty.

8.05 The Extended Illness Leave Bank (EILB)

Employees who become members of the EILB are eligible for a maximum of 120 days of paid leave over a two- ~~(2)~~-year period in accordance with M.G.L. Chapter 7, §4P and established procedures when experiencing an extended illness or injury. Intermittent employees are not eligible to join the EILB.

8.06 Other Leaves of Absence With Pay

Full-time and regular part time employees shall be granted leave of absence with pay due to the following reasons for absence. Intermittent employees are not eligible for any of the following leaves of absence with pay:

- ~~• Blood donations and, if eligible, annual awards ceremony, in conjunction with the Massachusetts State Employees' Blood Program (four hours maximum).~~
- Employees may take up to four hours of leave of absence with pay, subject to approval by their supervisors, for the purpose of donating blood to the Massachusetts State Employee's Blood Program (MSEBP). The leave must be taken on the day that the blood donation occurs. Employees will not accrue compensatory time in lieu of such leave. This leave may be allowed for a maximum of up to five times annually, during the period of October 1 through September 30 each year. Employees invited to attend the MSEBP awards ceremonies may take 4 hours of leave for that purpose.

- Oral, written, and physical examinations for state service conducted by the Human Resources Division or the Division of ~~Registration~~Professional Licens
- Appeal hearings for state service conducted by the Human Resources Division or the Division of ~~Registration~~Professional Licensure.
- Attendance at hearings ~~inbefore the Department of Industrial Accident-cases~~Accidents as the injured person or as a witness. (Any witness fees received shall be refunded to the Commonwealth.)
- To render services of a voluntary nature during regular working hours to a public elementary, secondary or vocational-technical school in order to assist in the improvement of a student's or school's educational program, or to act as a mentor in a program through The Mass Mentoring Partnership, not to exceed one (1) work day a month and based upon a schedule approved by ~~his/her~~their supervisor (M.G.L. Chapter 29, §31E).
 - The one (1) day a month of paid voluntary leave may be applied for necessary preparations and legal proceedings related to foster care of ~~DSS~~DCF children.
- Domestic Violence Policy: Fifteen (15) days of paid leave, forty (40) hours of earned sick leave, (and up to six (6) months of unpaid leave) for victims to attend to issues resulting from domestic violence.
- The Personnel Administrator may approve emergency paid leave for an employee as a result of a state or national emergency. An employee on a prior approved leave of absence or scheduled vacation, sick, personal, or compensatory leave during the emergency closing shall not have ~~his/her~~their leave changed to emergency leave.
- For participation in a bone marrow donor program or an organ donor transplant, a maximum of five (5) days of leave of absence with pay shall be granted to undergo the medical procedure and for associated physical recovery time.
- State employees can qualify for paid Organ Donor Leave for up to 30 days in a calendar year. It applies to leave taken by an employee to provide live organ donation to be transplanted to another individual. If foreseeable, 7 days of advanced notice should be given.
- A leave of absence with pay for the purpose of serving as an American Red Cross volunteer in specialized disaster relief services in connection with any disaster at the request of the American Red Cross for such an ~~employee's~~employee's services. The leave shall be approved at the sole discretion of the ~~employee's~~employee's supervisor and shall be limited to a total of fifteen (15) calendar days per calendar year. Authorized leaves of absence shall be limited to only those employees who are registered as certified disaster service volunteers of the American Red Cross disaster services human resources network.
- Employees may be granted a paid leave of absence in accordance with the policies of the Appointing Authority for educational purposes to attend conferences, seminars, briefing

sessions or other functions of a similar nature that are intended to improve or upgrade the individual's skill or professional ability. The employee shall not suffer any loss of seniority or benefits as a result of such leave.

8.07 Delegates to Conventions of Veterans' Organizations

Employees who are delegates or alternates to state or national conventions of veterans' organizations recognized by the Department of Veterans' Services shall be granted leave of absence with pay to attend those conventions.

8.08 Skeleton Force

Leave with pay may be granted for so-called "Skeleton Force". Compliance with the "Skeleton Force" authorization shall only be accomplished by the Appointing Authority subject to the conditions that the work of the department or institution will not be hampered and that the statutory requirements pertaining to office hours will be ~~complied with~~ followed. Employees required to work during "Skeleton Force" shall not be granted compensatory time off or additional pay in lieu thereof.

If a Skeleton Force is authorized on a day on which an employee is not scheduled to work or if the employee had received approval, prior to the Skeleton Force authorization, to use sick, vacation or personal leave credits, the employee shall be treated the same as if a Skeleton Force had not been authorized.

8.09 Voting Leave

Full-time and regular part-time employees whose hours of work preclude them from voting in a town, city, state or national election shall, upon prior written approval of the Appointing Authority, be granted a voting leave with pay not to exceed two (2) hours, for the sole purpose of voting in such election.

8.10 Authorized Leave of Absence Without Pay

The Department/Agency Head, or his/her/their designee, may grant an employee a leave of absence without pay, or an extension of such a leave, upon written request of the employee. The request shall include a detailed statement of the reason for the requested leave and, if the absence is caused by illness or injury, shall be accompanied by substantiating proof of such illness or injury. A copy of the approved request shall be placed in the employee's personnel file.

A leave of absence shall not be granted for a period in excess of three (3) months without prior approval by the Appointing Authority.

If an employee shall fail to return to his/her/their position upon completion of the period for which a leave of absence without pay has been granted, the Appointing Authority shall, within fourteen (14) days after the completion of such period, give notice that the employee is considered to be terminated.

Based on the operational needs and at the discretion of the Appointing Authority, Employees enrolled in a degree program may be granted an unpaid leave of absence(s) up to (12) twelve months for course work required by the program.

9.00 TRAVEL EXPENSES AND MEAL REIMBURSEMENT

9.01 Out of State Travel

No expenses for out-of-state travel, including the use of state-owned cars, shall be reimbursed unless prior approval is given by the Appointing Authority and Cabinet Secretary (M.G.L. ~~75~~² Chapter 30, §25B).

9.02 Economy of Travel Expenses

In every case the means of transportation which is least expensive to the Commonwealth and which is in the interest of economy, with proper consideration to the circumstances, should be used. Railroads or ~~busses~~^{buses} are preferred to transportation by plane, taxi or privately-owned automobile. Commutation and reduced-rate round trip tickets shall be used when possible. The cost of transportation shall include fares less federal taxes. Pullman charges will not be reimbursable for distances less than 100 miles; when they are used, Pullman check or voucher shall be submitted. Reference should be made to the detailed procedures for cost-effective authorized travel as issued from time to time by the Secretary of Administration and Finance.

9.03 Travel Between Home and Work Assignment

- Transportation of any kind between an employee's home and permanently assigned office (official headquarters) is not reimbursable (M.G.L. ~~75~~² Chapter 30, §25).
- If employees travel from home to temporary assignments rather than to their permanently assigned offices, transportation expenses shall be allowed either for the distance from their homes to places of temporary assignment, or from their permanently assigned offices to places of temporary assignment, whichever is nearer.
- In all instances in which the Appointing Authority assigns the employee's home as ~~his/her~~^{their} permanent office, prior approval must be given by the Personnel Administrator before such assignment becomes valid.
- The designation of the permanently assigned office for purposes of this rule by the Appointing Authority with the approval of the Personnel Administrator shall be final unless the employee files an appeal within ~~ten~~⁽¹⁰⁾ days in accordance with Rule 1.05.

9.04 Full Travel Status

This is defined as temporary absence from home on assignment to duty for more than ~~twenty-four~~⁽²⁴⁾ hours. The following items shall be reimbursable while on full travel status:

- Reasonable charges for hotel rooms, based upon submission of receipted hotel bill.
- Reasonable tips other than those for meals.

- ~~Telephone and facsimile (fax) charges over 25 cents, if itemized and listing the exchange called or place to which fax was sent.~~

- Reasonable work related internet connection or telephone charges

9.05 Unallowable Travel Expenses

Reimbursement shall not be made for expenses incurred for the sole benefit of the traveler, such as valet service, entertainment, laundry service, etc.

9.06 Duration of Full Travel Status

Full travel status, other than out-of-state travel, for any employee shall not exceed a period of thirty ~~(30)~~ consecutive days unless prior approval is given by the Personnel Administrator.

9.07 Use of State-~~owned~~Owned Automobiles

- State-owned cars shall be used on official business only. They shall not be operated outside the necessary working hours (working hours to include time required to travel to and from place of authorized garaging).
- Pleasure riding or use for private purposes is absolutely forbidden.
- No operator of a state-owned motor vehicle shall transport a passenger or passengers other than those traveling on official business except with the approval of the Appointing Authority.

9.08 Liability When Using State-~~owned~~Owned Automobiles

Operators are personally responsible for damage liabilities arising from accidents occurring during non-work related travel or involving passengers not traveling on official business. Any accident in which a state-owned vehicle is involved shall be reported immediately to the Secretary of Administration and Finance. Any such accident involving death or personal injury shall be reported immediately in writing to the Registrar of Motor Vehicles. (M.G.L.~~22~~₂ Chapter 90, §26).

9.09 Reimbursement of Expenses of State-~~owned~~Owned Automobiles

Reimbursement shall be allowed for expenses incurred in the operation of state-owned cars, including charges for gas, oil, and reasonable charges for minor repairs, public garage and parking fees, toll charges, and reasonable charges for car washing.

9.10 Privately-~~owned~~Owned Automobiles and Mileage Rate

When use of a ~~person's~~person's private automobile is necessary and has been authorized by the Appointing Authority, the approved mileage rate will be allowed. In addition to the approved mileage rate, reimbursement will be allowed for reasonable charges for tolls, garaging and parking.

- From time to time, the Secretary of Administration and Finance may adjust the mileage rate up or down, depending upon current conditions.
- For each trip, the city or town visited must be reported. If several addresses are visited within a city or town, state the number visited and total mileage covered.
- Mileage reported shall be based upon actual odometer readings or computed from a recognized mileage chart.
- Private automobile mileage reimbursement shall be payable only to one of two or more employees traveling together in the same vehicle.

9.11 Unallowable Expenses for Automobiles

- No reimbursement shall be allowed or obligation incurred for the private garaging of a state-owned automobile operated by an employee as transportation from the place of employment to the vicinity of residence.
- No payment shall be made or obligation incurred for the garaging of any automobile in private garages under any circumstances except upon prior approval by the Secretary of Administration and Finance.
- No charges for simonizing, polishing, or repainting will be allowed unless approved in advance by the State Purchasing Agent.

9.12 Meal Reimbursement

- The rules on meal reimbursement (Rules 9.12 to 9.18) apply to all persons employed by offices, departments, boards, commissions and other agencies receiving state appropriations (see Rule 1.04 and M.G.L., Chapter 7, §28).
- Reimbursement shall be allowed for meals while on full travel status.

9.13 Amount of Meal Reimbursement

Employees who are required to travel to other locations for business shall receive a per diem payment of \$30.00 for meals, for each whole day during which they are on such assignment.

1. A whole day shall be a 24-hour period commencing at midnight;
2. The duration of travel shall begin from the employee's departure from ~~his/her~~their home or work location directly to the destination of the travel assignment, and shall conclude with the employee's arrival at ~~his/her~~their home or work location directly from such travel assignment.

The rates above shall apply only when meals are not included in the rate charged for lodging or otherwise included in registration or conference fees.

For travel for partial day periods (see rules 9.15 through 9.17), individual meal allowances are as follows:

Breakfast:	\$6.00
Lunch:	\$8.00
Dinner:	\$16.00

9.14 Meal Reimbursement for Certain Unclassified Employees

- Rule 9.13 shall not apply to any Cabinet Secretary or Department Director.
- Reimbursement for those persons shall be the reasonable and necessary meal expenses as may be allowed by the Appointing Authority or person designated by statute to approve expenses.

9.15 When Meals May be Reimbursed

For travel status of 24 hours or more, the following are the allowances on the first day:

- When travel status begins before 6:00 A.M., the person will be entitled to the entire per diem amount.
- When travel status begins between 6:00 A.M. and noon, the person will be entitled to midday and evening meals.
- When travel status begins between noon and evening, the person will be entitled to the evening meal.

For travel status of 24 hours or more, the following are the allowances on the final day:

- When travel status ends between 6:00 A.M., and noon, the person will be entitled to breakfast.
- When travel status ends between noon and 6:00 P.M., breakfast and midday meals will be allowed.
- When travel status ends after 6:00 P.M., the entire per diem amount will be allowed.

Breakfast at the beginning and evening meal at the end of travel status will not be allowed unless the charge is accompanied by a statement of necessity for early departure or late return.

9.16 Meal Reimbursement for Travel Less Than 24 Hours in Duration

- For travel of one ~~day's~~(1) day's duration starting two (2) hours or more before compensated time, the person will be entitled to the breakfast allowance. Voucher must state time of departure and time compensation commenced.
- For travel of one ~~day's~~(1) day's duration ending two hours or more after compensated time, the person will be entitled to the evening meal allowance. Voucher must state the time compensation ceases and time of arrival home.
- In no event will the midday meal be allowed for travel of less than 24 ~~hours'~~hours' duration.
- Voucher must state necessity for early departure or late return as well as a statement giving the regularly scheduled work hours.
- In computing travel under this rule, the two (2)-hour travel time must be computed from the person's permanently assigned office or home, whichever is nearer to the place of temporary assignment.

9.17 Meals Reimbursement for Inmates/Patients

Reimbursement at the rates in Rule 9.13 shall be made for meal expenses incurred by an employee who purchases a meal or meals for inmates or patients who are being transferred from one institution to another, or an employee who is assisting in the performance of official duties. In all such cases, the name or the number of the inmate or patient must be stated.

9.18 Unallowable Meal Reimbursement

Meals served by ~~air and steamship lines~~airlines at no charge to the traveler or where the price of passage includes a meal or meals shall not be reimbursable.

9.19 Foreign Travel

- Employees traveling in foreign countries shall report their expenditures by items in dollars, noting on hotel bills and other receipts submitted with vouchers the equivalent value in dollars at the then current rate of exchange.
- Supplemental expenses such as fees for passports, visas, photographs, birth and marriage certificates, and inoculations shall be reimbursable.

10.00 HOURS OF EMPLOYMENT AND OVERTIME

10.01 Tour of Duty

The regular hours of work of full-time employees are restricted to five (5) tours of duty in any one workweek, and to not less than 37.5 hours (except in the case of part-time employment) nor more than 40 hours, and with like hours for like tour of duty classes, as determined by the Personnel Administrator in accordance with M.G.L. Chapter 30, §45.

The tour of duty is hereby restricted to eight (8) hours, and such tour of duty shall be arranged to fall within a period not exceeding ten (10) consecutive hours.

This rule shall not apply to the following:

- Employees in functions described in M.G.L. Chapter 149, §30A.
- Employees on full travel status (see Rule 9.04).
- Employees on a pre-approved flexible schedule or alternative work schedule, consistent with agency policy.

A tour of duty is the period of time elapsing in the performance of assigned tasks and immediately preceded and followed by a period of time of non-scheduled work of at least eight (8) hours duration in both instances.

When necessary, an employee may be assigned more than one ~~'tour'~~ tour of ~~'duty'~~ duty on the same workday provided that an interval of at least sixteen (16) hours elapsed between the start of the first tour of duty and the start of the second tour of duty. For reporting purposes, each tour of duty shall be treated separately and charged to the calendar day on which it began just as though all service in each tour of duty had been performed on the day to which charged.

10.02 Overtime

Employees who perform service in excess of a tour of duty of seven and one-half (7.5) hours or eight (8) hours within a period of ten (10) consecutive hours shall receive additional compensation at the regular rate up to and including eight (8) hours in one day or total service of 40 hours per work week.

Employees who perform service in excess of eight (8) hours in any one tour of duty or 40 hours in any one workweek shall be compensated at the rate of one and one-half (1.5) times the regular hourly rate of said employee for every hour or fraction thereof of such services rendered.

Employees may only be paid overtime compensation upon the prior written approval of the Appointing Authority, and the Cabinet Secretary where applicable (M.G.L. Chapter 30, §24C).

This rule shall not apply to the following:

- Employees in functions described in M.G.L., Chapter 149, §30B.
- Employees on full travel status (see Rule 9.04).
- Managers in positions classified at M-IX and above.
- Managers in positions classified at M-V through M-VIII, unless the position has received prior approval for overtime compensation by the Personnel Administrator and Secretary of Administration and Finance.

The provisions of the U.-S. Fair Labor Standards Act shall be followed where applicable.

10.03 Payment of Overtime

Authorized An Appointing Authority will make reasonable efforts to send out compensation for overtime should be scheduled for payment at no later than the end of each month and within 60 days after payroll period following the payroll period of the overtime work was performed worked.

10.04 Compensatory Time

Compensatory time in lieu of overtime will not be allowed for managers. An Appointing Authority shall grant confidential employees compensatory time, in lieu of payment for overtime, in a manner consistent with the pertinent provisions of the collective bargaining agreements that would otherwise cover the employees' job titles.

An Appointing Authority has discretion to permit the use of compensatory time at the employee's request, provided the use of compensatory time does not unduly disrupt the operation of a department or agency.

Upon termination, an employee shall be paid for all unused compensatory time at the final regular rate of pay.

10.05 Intermittent Employees

Intermittent employees are hereby exempted from the five (5) tours of duty in any work week as well as the eight (8) hour tour of duty in ten (10) consecutive hours in any work day. All such employees are, however, not exempt from the provisions of the 37.5 or 40-hour work week.

10.06 Curtailment of Hours and Changes in Schedule

Curtailment of the hours of service scheduled in one tour of duty to offset excess hours of service performed in another tour of duty is prohibited.

Whenever an Appointing Authority desires to change the work schedule of an employee under his jurisdiction, they must give any employee affected at least five days(5) days'

notice in writing of such contemplated change, except in cases of emergency involving the protection of the property of the Commonwealth and the health and safety of those persons entrusted to its care and/or custody, but not for the purpose of avoiding the payment of overtime.

This section shall not apply to an employee on a pre-approved flexible schedule or alternative work schedule.

10.07 Service for Overtime Purposes

Service for overtime purposes shall include all compensated time except ~~the~~sick time and additional holiday compensation provided in M.G.L., Chapter 30, §24A.

Whenever a claim for meals consumed is made under the provisions of Rule 10.10, the time involved in partaking of such meals shall not be included in the time for which overtime compensation is claimed. Actual time, but not less than one-half (1/2) hour in any instance shall be excluded for this purpose.

10.08 Hourly Rate

"Hourly rate," as used in this Rule, shall be the ~~employee's~~employee's regular rate of compensation if the service is rendered in ~~his/her~~their salary grade.

10.09 Out of Grade Overtime Work

An employee rendering overtime service out of the grade in which ~~he/she is~~they are regularly employed shall receive:

- ~~His/her~~The employee's regular salary unless it is lower than the minimum of the grade in which overtime is served, in which case ~~he/she~~they shall be paid at the minimum rate of the grade in which service is rendered.
- ~~His/her~~The employee's regular salary unless it is higher than the maximum of the grade in which overtime is rendered, in which case ~~he/she~~they shall be paid at the maximum rate for the grade in which service is rendered.
- ~~His/her~~The employee's regular salary unless there is no equivalent salary rate in the grade in which overtime service is rendered, in which case ~~he/she~~they shall be paid the next higher salary rate in said grade, or
- ~~His/her~~The employee's regular salary if the duties performed in the lower grade are, in the opinion of the Appointing Authority, essentially a part of the duties of the higher grade, in which case the employee may receive ~~his/her~~their regular rate of salary in the higher grade.

10.10 Meal Expenses for Overtime Work

Employees shall not be eligible for reimbursement for meals consumed during their regular hours of employment, except as provided for under the Travel Rules contained in Section 9.00.

Expenses incurred for authorized meals as a result of approved overtime work shall be reimbursed in addition to overtime compensation.

Reimbursement shall be allowed for actual meal expenses incurred, including tips, not to exceed the following:

Breakfast	\$5.00
Lunch (midday meal)	\$6.50
Supper (evening meal)	\$13.00
Midnight Meal	\$5.00

For the purposes of these rules, the following shall be considered as meal periods:

Breakfast period:	From 3:01 AM to 9:00 AM
Lunch period:	From 9:01 AM to 3:00 PM
Supper period:	From 3:01 PM to 9:00 PM
Midnight meal period:	From 9:01 PM to 3:00 AM

If an employee works a regular tour of duty, and, in addition, works three (3) or more hours, exclusive of meal time, he/shethey shall be entitled to reimbursement, in accordance with this Rule, for the meal covered by the period in which such additional work begins.

If an employee works a regular tour of duty, and, in addition, works seven (7) or more hours, exclusive of meal time, he/shethey shall be entitled to reimbursement, in accordance with this Rule, for two (2) meals, starting with the meal covered by the period in which such additional work begins.

If an employee works a regular tour of duty, and, in addition, works eleven (11) or more hours, exclusive of meal time, he/shethey shall be entitled to reimbursement, in accordance with this Rule, for three (3) meals, starting with the meal covered by the period in which such additional work begins.

If an employee works on a day on which he/she-isthey are not scheduled to work, the employee shall be entitled to reimbursement, in accordance with this Rule, for meals as follows:

Hours worked (exclusive of meal time)	Number -of- meals, beginning with the meal covered by the period in which such work begins
3 or more	1
7 or more	2
11 or more	3
15 or more	4

For an additional four (4) hours worked not including time for meals an additional meal shall be allowed.

11.00 HOLIDAYS

11.01 Definition of Holidays

The following days shall be paid holidays for employees:

New ~~Year's~~Year's Day
Martin Luther King Jr. Day
~~Presidents'~~Presidents' Day
~~Patriots'~~Patriots' Day
Memorial Day
Juneteenth Independence Day
Independence Day
Labor Day
Columbus Day
Veterans' Day
Thanksgiving Day
Christmas Day

11.02 Holidays Occurring on Regularly Scheduled Workdays

When a holiday occurs on the regularly scheduled workday of a full-time employee, ~~he/she~~the employee, if not required to work that day, shall be entitled to receive ~~his/her~~their regular day's pay for such holiday.

11.03 Holidays Occurring on Days Other Than Regularly Scheduled Work Days

An employee whose usual workweek is five (5) or more days and whose regular day off falls on any of the aforementioned holidays except when such holiday occurs on Saturday, shall be allowed an additional day off or payment in lieu of one day.

Legal holidays that fall on a Saturday shall be observed on that day. All offices under the jurisdiction of any department of state government shall be open to the public for business on the Friday preceding any Saturday holiday. ~~However as many employees as possible should be given Friday off. Employees assigned to work shall be given an additional day off as the law allows (usually the following Monday), or, in lieu thereof, an additional day's pay; and provided, further, that this~~State Agencies may recommend that employees take off the preceding Friday or following Monday of the Saturday holiday. Employees who work both the preceding Friday and following Monday of the Saturday holiday will earn a compensatory day to be taken at a time approved by the agency head within 60 days of the Saturday holiday. This rule shall not apply to heads of departments and divisions, superintendents of institutions in the departments of Mental Health, Mental Retardation, Public Health, Corrections, Youth Services, Soldiers' Home in Massachusetts, and ~~Soldiers'~~Soldiers' Home in Holyoke, and principal officers in correctional institutions (M.G.L., Chapter 30, §24A).

A legal holiday shall be observed the day following when said holiday shall occur on Sunday.

Except as provided above, when a holiday occurs on a day that is not an employee's regular workday, the employee, at the option of the Appointing Authority, shall receive pay for one day at their regular rate or one compensatory day off with pay within sixty (60) days following the holiday to be taken at a time approved by the agency head.

11.04 Employees Required to Work on Holidays

An employee required to work on a holiday as defined in Section 11.01 shall receive a compensatory day off with pay within sixty (60) days following the holiday to be taken at a time approved by the agency head or if a compensatory day cannot be granted by the Appointing Authority due to a shortage of personnel or other reasons, then the employee shall be entitled to pay for one (1) day at ~~his/her~~their regular rate of pay in addition to pay for the holiday worked.

11.05 Amount of Holiday Pay

Holiday pay as provided in M.G.L. ~~752~~ Chapter 30, §24A shall not exceed compensation paid for one tour of duty.

11.06 Holiday Pay for Part-Time Employees

A part-time employee shall earn pay for a holiday or compensatory time in the same proportion that ~~his/her~~their part-time service bears to full-time. A part-time employee who is scheduled, but not required to work on a holiday, who receives less holiday credit than the number of hours ~~he/she~~ ~~is they are~~ required to work, may use other available leave time, or upon the request of the employee and approval by the Appointing Authority, subject to operational needs, may make up the difference in hours that same workweek. The scheduling of these hours will be at a time requested by the employee and approved by the Appointing Authority, subject to operational needs.

11.07 Holiday Pay for Full-Time Employees on a Compressed Workweek

Full-time employees on a compressed workweek whose daily work schedules exceed the normal standard of seven and a half (7.5) or eight (8) hours (whichever standard applies to the position in question) shall receive holiday pay for the number of hours normally worked daily by those full-time employees who are not on a compressed work schedule. When a holiday falls on a scheduled workday, the employee may make up the difference between the allotted holiday pay and the scheduled workday by using available leave. When a holiday falls on a scheduled day off, the employee will receive seven and a half (7.5) or eight (8) hours (whatever amount applies to the position in question) of compensatory time off, to be used within sixty (60) days following the holiday.

11.08 Restrictions on Holiday Pay

- An employee who is on leave without pay or absent without pay for that part of ~~his/her~~their scheduled workday immediately preceding or immediately following a holiday that occurs on a regularly scheduled workday for which the employee is not required to work, shall not receive

holiday pay for that holiday. This restriction on holiday pay will not apply to an employee who is on ~~leave without pay or absent without pay, if such an unpaid status and the~~ leave or absence is due to a furlough or other work reduction initiative relating to the mitigation of layoffs.

The above procedure may be waived by the Appointing Authority if an employee is tardy due to severe weather conditions or if an employee is tardy for not more than two (2) hours due to events beyond the control of the employee.

- An employee scheduled to work on a holiday, who fails to report for work on that day shall be deemed to be ~~on absence~~absent without pay unless the employee provides evidence of illness by a ~~doctor's~~doctor's certificate. When an employee produces such evidence of illness, sick leave credits, if any, shall be charged for that day and no holiday pay shall be paid or an additional day off granted.

12.00 CHARGES TO STATE PERSONNEL

12.01 Rental of State Facilities

Employees may be allowed to rent living quarters in state facilities only in accordance with regulations and rental schedules issued by the Secretary of Administration and Finance as authorized by M.G.L.~~22~~ Chapter 7, §3B.

12.02 Meals at State Institutions for Employees

Employees of state institutions may purchase meal tickets for meals consumed in institution dining rooms or cafeterias; the rates for such tickets will be determined by the Secretary of Administration and Finance in accordance with regulations authorized by M.G.L.~~22~~ Chapter 7, §3B.

12.03 Meals at State Institutions for Volunteers

Appointing Authorities in the Departments of Mental Health, Mental Retardation, Public Health, Corrections, Education, Youth Services and the ~~Soldiers'~~Soldiers' Homes may, where the services rendered by the individuals are, in their opinion, of material benefit to the respective institution and to the Commonwealth, allow meals free of charge to Affiliate Student Nurses, Social Service Students, Medical Students, Medical Student Interns, other student or volunteer workers, or any other persons who receive no compensation from the Commonwealth.

13.00 TUITION REMISSION

13.01 Applicability

Tuition remission shall apply to full-time employees who have completed at least six (6) months of service and their spouses only.

13.02 Tuition Remission Benefits

- Full tuition remission shall apply to enrollment in a state-supported course or program at the undergraduate or graduate level at any Community College, State College or State University (excluding the M.D. program at the University of Massachusetts Medical School).
- Fifty-percent (50%%) tuition remission shall apply to enrollment in a non-state supported course or program offered through continuing education at any Community College, State College or State University (excluding the M.D. program at the University of Massachusetts Medical School).

13.03 Limitations and Approval

- Tuition remission is subject to space available and to the usual admission policies of the college or university.
- Prior approval must be granted by both the Personnel Administrator and the Board of Higher Education in accordance with their Tuition Remission policies and procedures.
- It is understood that any program of spousal eligibility developed by the Board of Higher Education in conjunction with the Human Resources Division will require the subordination of spousal eligibility rights to those remission benefit rights extended to full-time state employees.

14.00 PREVENTION OF ACCIDENTS AND OCCUPATIONAL DISEASES

14.01 Inspections and Maintenance; Reports

- It shall be the duty of all Appointing Authorities to provide a safe, clean, wholesome surrounding in all places of employment coming under their jurisdiction. They shall at least once every week cause the inspection of premises to maintain good housekeeping in every place of employment under their jurisdiction and shall have a written report thereof made to them at least once a month by the person or persons to whom such task is assigned.
- Appointing Authorities shall cause all places of employment maintained by their respective departments to be inspected as to lighting, floors, ceilings and walls, stairs, roof, ladders, tables, filing cabinets, lifting devices, benches, chairs, heating equipment, electric fans, storage spaces, trucks, conveyor belts, containers, packing cases, machines, tools, and any other physical property used in such place of employment. In worksites in which employees use video display terminals, the Division of Occupational Hygiene shall inspect VDT equipment.
- Appointing Authorities shall inform employees of any toxic or hazardous materials in the workplace in accordance with M.G.L., Chapter 111F (Right to Know Law).
- Appointing Authorities shall make an annual report to the Personnel Administrator within sixty (60) days after July 1st of each year in which they shall furnish information regarding the weekly inspection referred to above.
- These reports shall furnish information regarding the number of industrial accidents which occurred in such departments, showing their cause, action taken to prevent recurrence, a copy of any instructions issued to supervisors regarding unsafe equipment or methods as provided in Rule 14.02, number of lost days in each accident, the name and title of employee involved, the amount of sick leave in days and dollars used by such employee because of industrial accident, and if accident was caused by violence of prisoner or patient, the amount of salary paid and the effort made to ascertain if and when the employee would be able to return to his/her/their position, the replacement, if necessary, for such employee during the leavereceipt of absenceworkers' compensation benefits because of this industrial accident, and the activity put into motion to prevent industrial accidents during the year.
- In the case of locations such as manholes where valves or other control devices may be located, the supervisor shall ascertain that no noxious or poisonous gases are present therein before permitting other workers to descend therein for any purpose whatsoever.
- When such noxious or poisonous gases are present, such conditions must be remedied before any worker is permitted to descend into such enclosure. The use of harnesses or other protective devices must be used where any danger is present.
- In the case of bursting water mains requiring excavation to make necessary repairs, the supervisor shall make sure that proper shoring has been provided to protect against possible "cave-in."

14.02 Unsafe Equipment

Appointing Authorities shall cause instructions to be issued to all supervisors in their departments not to permit any unsafe equipment to be used nor any unsafe work methods to be used in any instance to the end that accidents will not occur because of such equipment or method.

14.03 Defective and Worn-out Tools

If a tool, machine, or piece of equipment is found to be defective, worn-out or dangerous to operate because of its condition, the immediate supervisor shall be instructed not to permit its use until it is authorized by the Appointing Authority.

14.04 Use of Tools

Appointing Authorities shall at all times be concerned with the safety and health of all persons under their jurisdiction. They must not permit any person who is not adequately experienced or familiar with the use of tools, machinery, or equipment to use such material until adequate experience or familiarity with such material is possessed by said person.

14.05 Issuance of Instructions

Appointing Authorities shall issue instructions to supervisors to carry out the provisions of these rules to the end that accidents and industrial or occupational diseases are kept at a minimum.

14.06 Reports of Accidents and Diseases to the Human Resources Division

Whenever an accident or industrial or occupational disease claim is filed with the Division of Industrial Accidents by an employee, a copy of the report form and claim shall be sent to the Human Resources Division by the Appointing Authority.

14.07 Division of Industrial Accidents- Hearings

The Division of Industrial Accidents, within twenty-one (21) calendar days of receipt of such claim, shall notify the Human Resources Division whether or not it is taking jurisdiction of the claim and, if necessary, when hearing will be given to claimant.

14.08 Decisions of Division of Industrial Accidents - Forwarding

The Division of Industrial Accidents shall forward to the Human Resources Division a copy of its decision in all claims filed with it by employees and referred to in Rule 14.06. Such decision shall state the approximate duration of such award, if any. If such decision is modified, amended or repealed, the Division of Industrial Accidents shall notify the Human Resources Division of such change.

14.09 Reporting of Unsafe Conditions

- Employees shall report to their immediate supervisors any condition which they believe endangers their health or creates hazard in their employment. Such immediate supervisors shall correct the conditions complained of, if within their authority to do so, or shall report such complaints to their supervisors in report referred to in Rule 14.01, above.

14.10 Posting of Rules

All Appointing Authorities shall cause to be posted in a conspicuous place in every place of employment under their jurisdiction a copy of all these rules pertaining to prevention of accidents and industrial or occupational diseases.

14.11 Complaints - Forwarding to Head of Department

- Whenever a written complaint is filed by an employee with the Personnel Administrator describing in detail and accompanied by supporting evidence of any allegedly unsafe or unsanitary condition relating to the work of such employee, the Personnel Administrator shall cause a copy of such complaint to be sent to the Appointing Authority for ~~his/her~~their immediate comments.
- The Personnel Administrator shall investigate such complaint and shall report thereon with ~~his/her~~their recommendations to the Secretary of Administration and Finance with a copy thereof to the employee filing the complaint and to the Appointing Authority involved.

14.12 Rules to be Supplemental

All the above rules do not change or alter any rules previously issued on the subject matter of reporting accidents or industrial or occupational diseases issued by any department prior to the effective date of these rules, but are in addition thereto.

14.13 Incorporation by Reference - Enforcement

Rules and regulations issued by the Division of Industrial Accidents and any other rule or regulation adopted by the Department of Labor and Workforce Development governing the prevention of accidents or industrial diseases, are all hereby incorporated into these rules and regulations and shall be in full force in all departments. Appointing Authorities are hereby charged with the responsibility to enforce these rules and regulations and shall see that the rules are adhered to in all places of employment coming under their jurisdiction.

15.00 ADOPTION ASSISTANCE PROGRAM

15.01 Eligibility

Employees shall be eligible for the Adoption Assistance Program based upon guidelines issued by the Human Resources Division in cooperation with the Department of ~~Social Services~~Children and Families and the Board of Higher Education.

The program will provide certain benefits to employees who adopt a child from the Department of ~~Social Services~~Children and Families.

15.02 Leave Benefits

Such employees will be eligible for the following leaves in connection with such adoption:

- Up to ~~twenty-six~~ (26) weeks of FMLA unpaid leave of which:
 - Up to ~~2-weeksten~~ (10) days of Adoptive Assistance Leave (paid leave) per adopted child may be taken (see also Rule 5.02) (under FMLA rules), and;
 - Up to ~~30~~sixty (60) days of accrued paid sick leave may be taken for the purpose of parental leave due to adoption under FMLA rules, to be concluded within ~~twelve~~ (12) months of the adoption (see also Rule 4.07).
- ~~The total of the above types of paid leave shall not exceed 8 weeks in one calendar year.~~
- Up to ~~2-weeksten~~ (10) days of accrued paid sick leave per calendar year may be taken for the purpose of attending to necessary preparations and legal requirements related to the adoption (see Rule 4.07).

15.03 Educational and Other Benefits

Other benefits include:

- For the employee: Adoption Support Services as provided by the Department of ~~Social Services~~Children and Families.
- For the adopted child: College/university tuition remission at a Massachusetts State College/University or Community College (see Tuition Remission rules in section 13.00), and corporate sponsorship arranged by the Department of ~~Social Services~~Children and Families.