



THE BOARD OF HEALTH
MIXTER MUNICIPAL OFFICE BUILDING
120 PRESCOTT STREET
WEST BOYLSTON, MASSACHUSETTS 01583

January 9, 2008 Meeting Minutes

Members present: Robert Barrell, Celia Hartigan and Mary-Isabel Luddy

Members absent: Alan Harris, Richard Chapman

Chairman Barrell convened the meeting at 7:00 p.m.

Meeting Minutes After review and upon motion of Mrs. Luddy and second of Mrs. Hartigan it was unanimously voted to approve the November 28, 2007 Board of Health meeting minutes. The previously approved minutes of the November 14, 2007 meeting were signed.

Operating Budget for FY09 The Board acknowledged the Operating Budget for FY09 prepared by Mrs. Mard submitted on December 27, 2007.

Commonwealth of Massachusetts Massage Therapy License Notice The Board members read a letter from Stephen J. Nemmers, PH.D., Deputy Director of the Division of Professional Licensure, regarding a significant change in the oversight of massage therapists, massage facilities and massage schools.

The notice informs municipalities they should stop issuing licenses to massage therapists. Files and other historic documents are to be maintained since one method of obtaining a Commonwealth license will be to demonstrate the issuance of a municipal license. A copy of licenses that are on file will be sent to Dr. Nemmers.

MHOA Training Document A conference offering from MHOA for Planning and Public Health entitled Working Together Creating Safer and Healthier Communities was read. The conference is being held at the Best Western Trade Center in Marlboro. Chairman Barrell may attend.

Worcester Regional Medical Reserve Corp (WRMRC) Training The Board was provided with a document that lists dates and locations for the orientation training needed by WRMRC volunteers. It is suggested that Board of Health members attend these trainings.

DEP Seminar Offering The Board members acknowledged a letter from Andrea W. Briggs, Service Center Manager of the Central Regional Office of the DEP dated January 3, 2008. The letter announces this year's Mass DEP annual MHOA seminar and "open door" Board of Health sessions. The seminar is scheduled for March 20, 2008.

Town Hall Move to Hartwell Street The Board members were informed of the status of the move from the Mixer Building on Prescott Street to the CEA building at 127 Hartwell Street in West Boylston. A document from Sterling Corporation, entitled Pre Move Plan and Information Package was distributed.

With no further business to come before the Board and upon motion of Mrs. Hartigan and second of Mrs. Luddy it was unanimously voted to adjourn at 8:30 p.m.

Barbara A. Mard

Robert J Barrell, Chairman
N. Alan Harris, MD, Vice Chairman
Celia F Hartigan, RN, Member
Richard M Chapman, Member
Mary -Isabel Luddy. RS, Member

SEXUAL HARASSMENT POLICY OF TOWN OF WEST BOYLSTON

I. Introduction

It is the goal of the Town of West Boylston to promote a workplace that is free of sexual harassment. Sexual harassment of employees occurring in the workplace or in other settings in which employees may find themselves in connection with their employment is unlawful and will not be tolerated by this organization. Further, any retaliation against an individual who has complained about sexual harassment or retaliation against individuals for cooperating with an investigation of a sexual harassment complaint is similarly unlawful and will not be tolerated and we have provided a procedure by which inappropriate conduct will be dealt with, if encountered by employees.

Because the Town of West Boylston takes allegations of sexual harassment seriously, we will respond promptly to complaints of sexual harassment and where it is determined that such inappropriate conduct has occurred, we will act promptly to eliminate the conduct and impose such corrective action as is necessary, including disciplinary action where appropriate.

Please note that while this policy sets forth our goals of promoting a workplace that is free of sexual harassment, the policy is not designed or intended to limit our authority to discipline or take remedial action for workplace conduct which we deem unacceptable, regardless of whether that conduct satisfies the definition of sexual harassment.

II. Definition of Sexual Harassment

In Massachusetts, the legal definition for sexual harassment is this:

“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.

Under these definitions, direct or implied requests by a supervisory for sexual favors in exchange for actual or promised job benefits such as favorable reviews, salary increases, promotions, increased benefits, or continued employment constitutes sexual harassment.

The legal definition of sexual harassment is broad and in addition to the above examples, other sexually oriented conduct, whether it is intended or not, that is unwelcome and has the effect of creating a work place environment that is hostile, offensive, intimidating, or humiliating to male or female workers may also constitute sexual harassment.

While it is not possible to list all those additional circumstances that may constitute sexual harassment, the following are some examples of conduct which if unwelcome, may constitute sexual harassment depending upon the totality of the circumstances including the severity of the conduct and its pervasiveness:

- Unwelcome sexual advances - whether they involve physical touching or not;
- Sexual epithets, jokes, written or oral references to sexual contact, gossip regarding one's sex life; comment on an individual's body, comment about an individuals 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 experiences; and,
- Discussion of one's sexual activities.

All employees should take special note that, as stated above, retaliation against an individual who has complained about sexual harassment, and retaliation against individuals for cooperating with an investigation of a sexual harassment complaint, is unlawful and will not be tolerated by this organization.

III Complaints of Sexual Harassment

If any of our employees believes that he or she has been subjected to sexual harassment, the employee has the right to file a complaint with our organization. This may be done in writing or orally.

If you would like to file a complaint you may do so by contacting Leon A. Gaumond, Jr., Town Administrator, Mixer Municipal Office Building, 120 Prescott Street, West Boylston, Massachusetts 01583, (508) 835-3490. Mr. Gaumond is also available to discuss any concerns you may have and to provide information to you about our policy on sexual harassment and our complaint process.

IV Sexual Harassment Investigation

When we receive the complaint we will promptly investigate the allegation in a fair and expeditious manner. The investigation will be conducted in such a way as to maintain confidentiality to the extent practicable under the circumstances. Our investigation will include a private interview with the person filing the complaint and with witnesses. We will also interview the person alleged to have committed sexual harassment. When we have completed our investigation, we will, to the extent appropriate inform the person filing the complaint and the person alleged to have committed the conduct of the results of that investigation.

If it is determined that inappropriate conduct has occurred, we will act promptly to eliminate the offending conduct, and where it is appropriate we will also impose disciplinary action.

V. Disciplinary Action.

If it is determined that inappropriate conduct has been committed by one of our employees, we will take such action as is appropriate under the circumstances in conformity with the procedures outlined in the Town of West Boylston Personnel By-law. Such action may range from counseling to termination from employment, and may include such other forms of disciplinary action as we deem appropriate under the circumstances.

VI. State and Federal Remedies

In addition to the above, if you believe you have been subjected to sexual harassment, you may file a formal complaint with either or both of the governmental agencies set forth below. Using our complaint process does not prohibit you from filing a complaint with these agencies. Each of the agencies has a short time period for filing a claim (EEOC - 180 days; MCAD - 6 months).

1. The United States Equal Employment Opportunity Commission ("EEOC")
10 Congress Street - 10th Floor
Boston, Massachusetts 02114
(617) 565-3200
2. The Massachusetts Commission Against Discrimination ("MCAD")
Boston Office:
One Ashburton Place
Room 601
Boston, Massachusetts 02108
(617) 727-3990
Springfield Office:
424 Dwight Street
Room 220
Springfield, Massachusetts
01103
(413) 739-2145
For the Board:
Donald B. Davis, Chairman