

A. ANTI-DISCRIMINATION, HARASSMENT (INCLUDING SEXUAL HARASSMENT) , AND EEO POLICY

1. Equal Employment Opportunity Statement

The Authority will not discriminate in its employment practices, on the basis of race, color, gender, gender identity, national origin, religious creed, ancestry, age, sexual orientation, disability, pregnancy or pregnancy-related condition, genetic information, military status, or another basis prohibited under state or federal anti-discrimination statutes. This shall include such areas as recruitment, selection, compensation and benefits, professional development and training, reasonable accommodation for disabilities or religious practices, promotion, transfer, termination, layoff, and other terms and conditions of employment.

2. Reasonable Accommodation Policy

The Authority will not discriminate against people with disabilities in any employment practices or in terms, conditions or privileges of employment, including, but not limited to: application, testing, hiring, assignment, evaluation, disciplinary action, training, promotion, medical examination, layoff/recall, termination, compensation, leaves or benefits. The Authority will make reasonable accommodation to the known physical or mental limitations of a qualified applicant or employee with a disability, unless such action would cause an undue hardship to the operations of the Authority.

In addition, the Authority complies with the provisions of Massachusetts General Laws Chapter 151B, §4(1E), requiring certain reasonable accommodations for an employee's pregnancy or pregnancy-related condition, including but not limited to lactation or the need to express breast milk for a nursing child, unless such accommodation will cause an undue hardship on the operations of the Authority.

Employees seeking reasonable accommodations may submit their request in writing to Kelley Cronin, Executive Director, 68 Windsor Avenue, Acton, MA 01720.

3. Prohibition of Discrimination and Harassment

It is the Policy of the Authority to promote a professional and productive workplace in which all employees are treated with dignity and respect. Employees are expected to act in a positive manner and contribute to a productive work environment that is free from harassing or disruptive activity. Discrimination, including harassment, whether based upon on race, color, sex, religion, national origin, ancestry, disability, age, sexual orientation, gender identity, pregnancy or pregnancy-related conditions, or veteran status, or any other category protected by the state and federal anti-discrimination laws, will not be tolerated. To achieve the goal of providing a workplace free from discrimination, the Authority will implement the procedure described below to address any potential inappropriate conduct.

This Policy applies to all employment practices and employment programs sponsored by the Authority. This Policy shall apply, but not be limited to, the areas of:

- Recruitment
- Selection
- Compensation and benefits
- Professional development and training
- Reasonable accommodation for disabilities or religious practices
- Promotion
- Transfer
- Termination
- Layoff, and
- Other terms and conditions of employment.

This Policy may apply to discrimination (including harassment) that occurs between co-workers that takes place outside the workplace (including, but not limited to, online conduct or conduct utilizing the internet or other electronic media). When the conduct complained of occurs outside of the workplace, the Authority may consider the following and other factors in assessing whether the conduct constitutes conduct in violation of this Policy:

- whether the event at which the conduct occurred is linked to the workplace in any way, such as at an Authority-sponsored function;
- whether the conduct occurred during work hours;
- the severity of the alleged outside-of-work conduct;
- the work relationship of the complainant and alleged harasser, which includes whether the alleged harasser is a supervisor and whether the alleged harasser and complainant come into contact with one another on the job;
- whether the conduct adversely affected the terms and conditions of the complainant's employment or impacted the complainant's work environment.

Because the Authority takes allegations of unlawful discrimination and harassment seriously, officials will respond promptly to complaints and, where it is determined that such inappropriate conduct has occurred, 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 the Authority's goals of promoting a workplace that is free of discrimination and harassment, **the Policy is not designed or intended to limit the Authority's authority to discipline or take remedial action for workplace conduct which is deemed unacceptable, regardless of whether that conduct satisfies the legal definitions of discrimination or harassment.**

4. Definition of Sexual Harassment

Sexual Harassment - That conduct, including unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature, which may constitute sexual harassment when:

- 1) submission to such conduct is made explicitly or implicitly a term or condition of an individual's employment;
- 2) submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual; or
- 3) such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment.

Hostile Work Environment – A form of sexual harassment, where pervasive and sexually hostile working conditions unreasonably interfere with an employee's ability to do his or her job.

Quid Pro Quo – Another form of sexual harassment, where tangible job benefits are offered or withheld in exchange for sexual favors.

5. Examples of Prohibited Discriminatory Behavior

It is not possible to list all the circumstances that may constitute discrimination in violation of this Policy. Discrimination may take many forms, including both verbal and nonverbal behaviors. Prohibited behavior includes, but is not limited to, the following behaviors connected to someone's membership in one or more groups protected by law as noted in the first paragraph above: slurs or other derogatory comments; sharing demeaning pictures, cartoons, or jokes; demeaning gestures, and; any conduct constituting 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 conduct, gossip regarding one's sex life; comment on an individual's body, comment 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 experiences; and,
- Discussion of one's sexual activities.

Under these definitions, 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, 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. This can include conduct that is aimed at a person's sexual orientation or gender identity.

6. Procedures

a. Complaints of Sexual Harassment

If an employee believes that he or she has been subjected to sexual harassment, it is the Authority's policy to provide the employee with the right to file an internal complaint. This may be done orally or in writing.

An employee may file a complaint of sexual harassment by contacting the Executive Director, Kelley Cronin. Alternatively, an employee may file his or her complaint with the Assistant Executive Director, Melissa Bible. These persons will remain available to discuss any concerns employees may have and to provide information about the Authority's Policy on sexual harassment and the complaint process.

b. Sexual Harassment Investigation

When a complaint of sexual harassment is received, the Authority 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. The Authority's investigation will include a private interview with the person filing the complaint and with any witnesses. The Authority will also interview the person alleged to have committed sexual harassment. When the investigation has concluded, the Authority 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, the Authority will act promptly to eliminate the offending conduct, and where appropriate, impose disciplinary action.

c. Complaints Concerning Other Forms of Discrimination and/or Harassment

Complaints alleging forms of discrimination and/or harassment, other than sexual harassment, will be processed in accordance with subparagraphs a and b, above, whenever appropriate.

d. Confidentiality

Given the sensitive nature of complaints of discrimination and/or harassment, all parties and witnesses in a complaint, as well as department heads, supervisors, etc. who are aware of a complaint or investigation thereof, are strongly encouraged to maintain this information as confidential, so as not to negatively impact an investigation. The investigation will be conducted in such a way as to maintain confidentiality to the extent practicable under the circumstances.

All employees are reminded of the provisions of G.L. c. 268A, § 23(c)(2), which prohibit a public employee or official from improperly disclosing information that is protected from disclosure under the public records law, and acquired by an employee or official in the course of official duties. Section 23 also prohibits a public employee or official from using such information to further the employee's/official's personal interest. Violations of Section 23 may lead to disciplinary action, up to and including termination.

7. Retaliation

Any retaliation against an individual who has formally or informally complained about discrimination, including harassment, or has cooperated with an investigation of a discrimination complaint, is prohibited.

Retaliation can be overt or subtle. Retaliation may include, but is not limited to, treating a complainant or witness differently, more harshly or in a hostile manner; physical interference with movement such as blocking a path; derogatory comments or action which would tend to have a chilling effect on other complainants; sudden investigations of the complainant's private life, or; sudden strict enforcement of work rules. Retaliation in any form will not be tolerated.

8. Sanctions

If it is determined that inappropriate conduct has been committed by an employee, the Authority will take such action as is appropriate under the circumstances. Such actions may include: counseling, informal or formal reprimands, written or verbal warnings, suspension, reduction in pay, reduction in duties, transfers, and other formal sanctions, including termination from employment.

9. State and Federal Remedies

In addition to the above, if an employee believes he or she has been subjected to sexual harassment, he or she may file a formal complaint with either or both of the government agencies listed below. Using the Authority's complaint process does not prohibit an employee from filing a complaint with either of these agencies. Please note that both agencies have a short time period for filing a claim (300 days).

The United States Equal Employment Opportunity Commission (EEOC)

John F. Kennedy Federal Building
475 Government Center
Boston, MA 02203
Phone: (800) 669-4000
TTY: (800) 669-6820

The Massachusetts Commission Against Discrimination (MCAD)

Boston Office

One Ashburton Place
Sixth Floor, Room 601
Boston, MA 02108
Phone: 617-994-6000
TTY: 617-994-6196

Springfield Office

436 Dwight Street
Second Floor, Room 220
Springfield, MA 01103
(413) 739-2145

Worcester Office

Denholm Building
484 Main Street, Suite 320
Worcester, MA 01604
(508) 453-9630
(508) 453-9641 – FAX

New Bedford Office

Demello International Center, 128
Union Street, Suite 206,
New Bedford, MA 02740
(774) 510-5801
(774) 510-5802 - FAX

B. DOMESTIC VIOLENCE LEAVE POLICY

The Authority is committed to complying with the Massachusetts Domestic Violence Leave Act, G.L. c. 149, §52E (“DVLA” or “the Act”), as it may be amended from time to time. In the event of any conflict between the Authority’s DVLA policy and the state law and any applicable regulations, the state law/regulations applicable to the Authority and its employees shall prevail. This Policy describes the eligibility and procedural requirements relating to the administration of leave taken pursuant to DLVA.

1. Eligibility

To qualify for domestic violence leave under the DVLA, an employee or a covered family member must be the victim of “*abusive behavior*.” “Abusive behavior” includes any of the following behaviors: domestic violence, stalking, sexual assault or kidnapping.

Domestic violence is abuse against an employee or a covered family member by a current or former spouse, a person with whom the victim shares a child, a person cohabitating with or who has cohabitated with the victim in the past, a relative by blood or marriage, or a person with whom the employee or family member has or had a dating or engagement relationship.

A *Covered family member* includes a spouse, parent, step-parent, child, step-child, sibling, grandparent, grandchild, persons in a substantive dating relationship or who reside together, persons having a child in common, or persons in a guardian relationship. In the case of abuse of a family member, the employee is not entitled to leave if he or she is the alleged perpetrator.

2. Duration of Leave

If an employee or a covered family member of the employee is a victim of abusive behavior, he/she may take up to fifteen (15) days of unpaid leave in any 12-month period.

Note: Employers may, at their sole discretion, choose to provide paid leave instead.

Employees are required to exhaust all paid leave before taking leave under the DVLA.

Note: The employer may choose to waive this requirement. The employer may also specify which types of paid leave (sick, vacation, personal) that employees are required to exhaust prior to using leave under the DVLA.

3. Reasons for Requesting Leave

Employees may request leave to address issues directly related to the abusive behavior. This includes seeking medical attention, counseling or victim services. Leave may also be taken to obtain legal assistance, to attend or appear in court proceedings, or to meet with a district attorney or law enforcement personnel. It is not a requirement of the Act that the employee maintain contact with the alleged abuser before being eligible for leave.

4. Notice

Employees must provide sufficient advance notice of the decision to use domestic violence leave, unless there is a threat of imminent danger to the health or safety of the employee or a member of the employee's family. An employee who does not give advance notice must notify the employer within three (3) work days that leave is being taken pursuant to the DVLA. The notice may be provided by certain specified individuals other than the employee.

If an unscheduled absence occurs, the employee has 30 calendar days to produce documentation of the need for leave, in accordance with subparagraph e, below.

Note: The law specifically precludes employers from taking "negative action" against an employee based upon an unscheduled absence, if the employee provides sufficient justification and documentation for the need for domestic violence leave within 30 days of the absence. What exactly is a "negative action" is not defined, but it would reasonably include such things as disciplinary action, docking pay or listing the employee as "AWOL" for instance. Where any of these things has occurred, the employer may need to "reverse" such negative action upon the employee's provision of the necessary documentation, in a timely manner.

5. Documentation

Employees taking leave pursuant to the DVLA may be required to provide documentation evidencing that the employee or employee's family member has been a victim of abusive behavior. If requested, an employee is required to provide such documentation within a reasonable period after the request is made. An employee can satisfy this requirement by providing any one of the following documents:

- A protective order issued by a court as a result of abusive behavior against the employee or employee's family member;
- A document under the letterhead of the court, provider or public agency which the employee attended for the purposes of acquiring assistance as it relates to the abusive behavior;
- A police report or statement of a victim or witness provided to police, including a police incident report, documenting the abusive behavior;
- Documentation that the perpetrator of the abusive behavior against the employee or family member of the employee has admitted to sufficient facts in court, or has been convicted of any offense constituting abusive behavior;
- Medical documentation of treatment as a result of the abusive behavior;
- A sworn statement provided by a counselor, social worker, or health care worker who has assisted the employee or the employee's family member; or
- A sworn statement from the employee attesting that the employee has been the victim of abusive behavior.

1. Return to Work

Employees who take leave pursuant to the DVLA will be restored to their original or equivalent position upon return from leave unless circumstances unrelated to the employee's use of leave would have caused a change in employment status. The Authority shall not retaliate against an employee for exercising his/her rights under the DVLA.

2. Confidentiality

With limited exceptions set forth by law, information related to the employee's leave shall remain confidential.

C. WORKPLACE VIOLENCE POLICY

It is the Policy of the Authority to promote a safe environment for its employees. The Authority is committed to working with all employees to maintain a work environment free from violence, threats of violence, harassment, intimidation, and other disruptive behavior. Violence, threats, harassment, intimidation, and other disruptive behavior in the workplace will not be tolerated. All reported incidents will be taken seriously, and will be dealt with appropriately. Such behavior can include not only acts of physical violence, but also oral or written statements, gestures, or expressions that communicate a direct or indirect threat of physical harm. Individuals who commit such acts may be removed from the premises and may be subject to criminal prosecution. Such employees may also be subject to disciplinary action, up to and including termination from employment.

This Policy establishes the standards, procedures and safeguards that will encourage and foster a work environment that is characterized by respect and healthy conflict resolution; reduce the potential for violence in and around the workplace; mitigate the negative consequences for

employees who experience or encounter violence in their work lives; and ensure that appropriate resources are available to employees who may be victims of workplace violence.

1. Definitions

Workplace Violence includes, but is not limited to, intimidation, threats, physical attack, domestic violence or property damage and includes acts of violence committed by Authority employees, clients, customers, tenants, relatives, acquaintances or strangers against Authority employees in the workplace. Violent behavior can include actions or communications in person, by letter or note, telephone, fax or electronic mail. Incidents of workplace violence may be acted out individually or take place between employees, employees and clients/residents, employees and acquaintances/partners and employees and the general public.

Intimidation is engaging in actions that includes but is not limited to stalking or behavior intended to frighten, coerce, or induce duress.

Threat is the expression of an intent to cause physical or mental harm. An expression constitutes a threat without regard to whether the party communicating the threat has the present ability to carry it out and without regard to whether the expression is contingent, conditional or future. Threats need not be made in person, but can be made through any means, including but not limited to via telephones or electronically (e.g., via the Internet, email, social media sites or blogs, etc.).

Physical Attack is unwanted or hostile physical contact such as hitting, fighting, pushing, shoving or throwing objects.

Domestic Violence is the use of abusive or violent behavior, including threats and intimidation, between people who have an ongoing or prior intimate relationship. This could include people who are married, live together or date or who have been married, lived together or dated.

Property Damage is intentional damage to property and includes property owned by the Authority, employees, visitors or vendors.

2. Prohibited Behaviors

It is a violation of this Policy to:

- Engage in workplace violence as defined herein;
- Use, possess or threaten to use a weapon during a time covered by this policy, even if the employee has a License to Carry a Firearm, and
- Misuse authority vested to any employee of the Authority in such a way that it violates this Policy.

3. Procedures

Employees who observe or who are the victim of violent behavior by anyone on Authority property shall report the incident immediately to a supervisor or department head, whether or not the alleged offender is a Authority employee. Threats or assaults that are of an emergency nature and require immediate attention should first be reported to the Police Department.

All reports of violence will be evaluated immediately, and appropriate action will be taken, where possible, in order to help protect the employee(s) from further violence. Appropriate disciplinary action will be taken when it is determined that an employee has committed threats or acts of violence, in violation of this Policy.

The Executive Director or his or her designee shall be responsible for responding promptly and appropriately to any report of violence in the workplace and conducting an investigation into the alleged incident, when necessary.

Workplace incidents involving emergency and/or criminal activity will be referred to the Police Department for investigation in appropriate circumstances. The Authority may conduct an administrative investigation concurrent with any criminal investigation, in cooperation with the Police Department. Such an administrative investigation shall be conducted in a confidential manner, to the extent possible.

4. Sanctions

Any employee who is found to be in violation of this Policy will be subject to disciplinary action, up to and including termination from employment. An act of off-duty violent conduct may also be grounds for disciplinary action, up to and including dismissal, in appropriate circumstances.

5. Employee Assistance Program

Employees who are victims of or witnesses to workplace violence may contact the Authority's Employee Assistance Program (EAP) for counseling, emotional support, and assistance in developing a personal safety plan in the event of workplace violence.

D. DRUG AND ALCOHOL FREE WORKPLACE POLICY

It is the Policy of the Authority to provide employees with a working environment that is free of the problems associated with the use and abuse of alcohol and controlled substances. The use of controlled substances is inconsistent with the behavior expected of employees and subjects the Authority to unacceptable risk of workplace accidents or other failures that would undermine the Authority's ability to operate effectively and efficiently. This Policy outlines prohibited workplace conduct with respect to controlled substances (drugs) and alcohol. This Policy complies with the Authority's obligations under the Federal Drug-Free Workplace Act, 41 U.S.C. § 8101, et seq. Although certain uses of marijuana have been legalized in the Commonwealth of Massachusetts, this policy and the following procedures apply to marijuana use.

1. The following is prohibited:
 - a. Off-Duty: Any use, sale, possession, distribution, dispensation, manufacture, or transfer of controlled substances or marijuana, except, in the case of marijuana, where authorized by Massachusetts law.
 - b. On Duty: Any consumption of controlled substances, marijuana (with or without prescription) or alcohol, whether on or off Authority property, or at any other worksite where employees may be assigned, or elsewhere during work hours.
 - c. The use of controlled substances or marijuana (with or without a prescription), or any use of alcohol on non-working time, to the extent that such use: (i) impairs an employee's ability to perform the employee's job; (ii) adversely impacts the safety of the employee or others; (iii) or affects the reputation of the Authority to its tenants, the general public, or otherwise threatens its integrity.
Any staff person who believes they need to request a reasonable accommodation is encouraged to request one.

2. Employees who are convicted of substance-related violations under state or federal law in the workplace, including alcohol or marijuana related violations, or who plead guilty or *nolo contendere* to such charges, must inform their department head or the Executive Director within five (5) days of such conviction or plea. Department heads shall immediately notify the Executive Director.

3. Employees who are convicted or who plead guilty or *nolo contendere* to such drug-related violations, or are found to have consumed or be impaired by controlled substances, marijuana or alcohol while on-duty, may be required to successfully complete a substance abuse or similar program as a condition of continued employment or re-employment with the Authority

4. All employees must sign a statement acknowledging that they have been informed of the rules and requirements of the Drug-Free Workplace Act.

5. Employee Assistance Program: The Authority recognizes drug and alcohol dependency as an illness and a major public health problem. To that end, the Authority encourages affected individuals to voluntarily seek medical help. Employees who wish to obtain help in dealing with such problems may contact the contact the Executive Director for a referral to the Authority's Employee Assistance Program. The Authority may independently refer an employee to the Employee Assistance Program or other substance use/abuse counseling agency or program for help, particularly where there is a pattern of deteriorating job performance or excessive absenteeism of the employee associated with substance use/abuse.

6. Sanctions: Substance use/abuse, however, does not relieve an employee of job performance standards and obligations. Violations of any and all provisions of this Policy may result in disciplinary action, up to and including termination from employment.

E. SMOKE FREE WORKPLACE POLICY

The Massachusetts Smoke-Free Workplace Law is primarily intended to protect workers from health hazards resulting from exposure to secondhand smoke. As of July 5, 2004, all Massachusetts workplaces with one or more employees must be smoke-free. Designated indoor smoking areas or smoking rooms are no longer permitted. Moreover, smoking is prohibited in any public building. This includes the smoking of marijuana. The Acton Housing Authority allows smoking outside 15 feet from entrances and windows.

The Massachusetts Department of Public Health has additional information about the state smoke free workplace law, available at <http://www.mass.gov/eohhs/gov/departments/dph/programs/mtcp/smoke-free-workplace/>

F. ELECTRONIC COMMUNICATIONS AND COMPUTER USE POLICY

This Policy is intended to provide guidance on the appropriate use of the Authority's electronic communication and information equipment and systems ("Systems"). Such Systems include, but are not limited to, computer workstations, laptops, tablets (such as iPads), hardware and software, electronic mail ("e-mail"), telephones, cellular phones, pagers, "blackberry"-style devices, SmartPhones, facsimile machines, and the Internet.

Use of the Authority's Systems by any employee, contractor, consultant, and/or volunteer ("user") shall constitute acceptance of the terms of this Policy and any such additional related policies that may be issued by the Authority.

Access and use of the Authority's Systems is intended for business-related purposes, including communicating with coworkers and colleagues, and researching topics relevant to Authority business. All existing state, federal, and local laws and Authority policies apply to a user's conduct while using the Authority's Systems, particularly those that govern intellectual property protection, sexual or other harassment, misuse of Authority resources, privacy rights, and confidentiality.

This Policy sets forth general guidelines and examples of prohibited uses of the Authority's Systems for illustrative purposes, but does not attempt to identify all required or prohibited activities by users. Questions regarding whether a particular activity or use is acceptable should be directed to the Systems administrator, and/or the user's supervisor. These guidelines may be supplemented by more specific administrative procedures and rules governing day-to-day management and operation of the Authority's Systems. Furthermore, this Policy may be amended from time to time, and is meant to be read in conjunction with all other applicable policies of the Authority.

1. Privacy

Users should not expect any right of privacy in said Systems, including electronic communications and information created or stored on the Authority's Systems. The Authority retains the right to inspect its Systems, including any Authority-owned or leased computer or electronic communications equipment, any data contained in such equipment, and any data sent or received by that equipment. The Authority will exercise that right when reasonable and in pursuit of legitimate needs for supervision, control, and the efficient and proper operation of the workplace. Users should be aware that appropriately-authorized network administrators may monitor network traffic, and/or access all files, including e-mail files and Internet use history, stored on any equipment.

All electronic files and documents originating from or passing through the Authority's Systems are considered to be the property of the Authority.

2. Security

All usernames and passwords are for the exclusive use of the individual to whom they are assigned. The user is personally responsible and accountable for all activities carried out under his/her username, and should take all reasonable precautions to protect his/her password. The password associated with a particular username must not be given or divulged to another person (with the exception of the Systems administrator). No one may use, or attempt to use, a username or password assigned to another person, or pose as another user.

3. Internet Guidelines

While employees increasingly use the Internet as a tool in the workplace, misuse or abuse of the Internet can result in wasted time, as well as potentially violate laws and regulations, or other Authority policies. Therefore, users should adhere to the following Internet Guidelines.

- a. Use for Official Business. It is the Authority's policy to restrict Internet access to official Authority business. Excessive use of the Internet for personal matters is prohibited. Use of the internet for personal matters should be restricted to breaks.
- b. Authorization. Authorization for Internet access must be obtained through the Systems administrator. Once authorization is approved, each user is responsible for the security of his or her account password and will be held responsible for all use or misuse of such account (see Section 2, Security, above).
- c. Compliance with Laws. Users must not utilize the Internet to knowingly violate any state, federal or local law, or the laws of any other nation. United States copyright and patent laws may apply to information and material(s) accessed through the Internet, and care should be taken to not violate the copyrights or patents of others on or through the use of the Internet.
- d. Viruses. All appropriate precautions should be taken to detect viruses, including scanning all computer files (including attachments) that are downloaded and/or opened from the Internet, before installation or execution of such files/attachments.

Users should direct any questions regarding the proper use of virus detection software to the Systems administrator prior to downloading and/or opening any computer files/attachments.

e. Authority Monitoring. As noted above, users should not have any expectation of privacy as to their computer or Internet usage, including the receipt and sending of e-mail. It is possible for the Authority to monitor Internet usage histories and/or patterns, and the Authority may inspect, without limitation, any portion of its Systems, including files stored either on the computer hard drive or the Authority's server, to the extent necessary to ensure compliance with this Policy or any other applicable state, federal, or local law or Authority policy.

f. Prohibited Practices.

- (i) Users shall not use Authority computers knowingly to download or distribute pirated software or data. Any software or files downloaded via the Internet may be used only in ways that are consistent with their licenses or copyrights. The downloading of games or other programs for amusement/entertainment purposes is strictly prohibited.
- (ii) Users shall not make an unauthorized attempt to enter into another employee's computer (commonly referred to as "hacking").
- (iii) All computer hardware and software shall at all times remain the property of the Authority, and may not be removed from their respective sites or downloaded onto personal computer equipment without the express written approval of the Systems administrator. The installation or upgrade of computer software programs on computer hardware, without the express written approval of the Systems administrator, is strictly prohibited.
- (iv) Users must not utilize the Internet to deliberately propagate any virus, worm, "Trojan horse," trap-door or back-door program code, or knowingly disable or overload any computer system or network, or to circumvent any system intended to protect the privacy or security of another user.
- (v) Users shall not disclose confidential information or promote personal political beliefs, discrimination, sexual harassment, and any unlawful activity; nor shall the Authority's computers be used for private financial gain, or commercial, advertising or solicitation purposes.
- (vi) Use of the Authority's Systems, including computers, to display any kind of image or document that is obscene, pornographic, sexually explicit or sexually suggestive, is prohibited. Additionally, these materials may not be archived, stored, distributed, edited, or recorded using Authority network, printing, or computing resources.

(vii) Users shall not utilize the Authority's Systems for the purpose of sending "chain-letters", unsolicited mass e-mails, or other "spam."

(viii) Users shall not maliciously use or disrupt the Authority's computers, networks, or Internet services; nor breach the Systems' security features; nor misuse or damage the Authority's equipment; nor misuse passwords or accounts; nor attempt to access unauthorized sites; nor use the Authority's Systems after such access has been denied or revoked; nor attempt to delete, erase or otherwise conceal any information stored on any portion of the Authority's Systems.

(ix) Users shall not access the Internet for non-work related purposes, including but not limited to: social networking sites such as Facebook, Twitter, and LinkedIn, non-work related blogs or websites, or personal shopping sites, for example, during work hours and/or using the Authority's Systems.

4. Electronic Mail ("E-Mail") Guidelines

a. The Internet does not guarantee the privacy and confidentiality of information. Sensitive material transferred over the Internet may be at risk of detection by a third party. Users must exercise caution and care when transferring such material in any form.

b. The Secretary of State's Office of the Commonwealth has determined that e-mail qualifies as "public records", as defined in Chapter 4, section 7(26) of the Massachusetts General Laws. Therefore, all e-mail mail sent by or received through the Authority's Systems shall be archived by the Systems administrator. All users shall retain either a printed or digital record of e-mail sent by or received through the Authority's Systems, in the same manner that other paper records are kept by their departments, and in accordance with the Record Retention requirements.

c. Users should be aware that opening programs or files attached to email messages may cause computer viruses to infect the Authority's Systems, and thus should only open such attachments from anticipated and trusted sources.

5. Telephone Usage

Telephones (including cellular phones, "SmartPhones," and blackberry-style devices) are provided for business use. Personal telephone calls may be permitted, but users should exercise good judgment in making such calls. Managers/department heads are responsible for monitoring their employees' telephone usage. Excessive usage for non-business related purposes, as well as misuse of telephones, such as to make harassing or threatening calls, may result in discipline, up to and including termination from employment.

Employees are reminded that text messages or other similar messages sent via cell phones, SmartPhones, and blackberry-style devices may constitute public records, and therefore,

any such messages pertaining to official business of the Authority should be maintained as public records, in the same manner as e-mail messages.

6. Sanctions

Violation(s) of this Policy may result in either the suspension or permanent loss of the privilege to use the Authority's Systems. It may further result in disciplinary action being taken against the employee, up to and including termination from employment. Additionally, users shall be personally liable for any losses, costs or damages incurred by the Authority related to violations of this Policy. Similarly, the illegal use of the Authority's Systems may result in referral to law enforcement authorities. Employees shall report violations of this Policy to the Executive Director. Retaliation against another user for reporting a violation or violations of this Policy, including the use of e-mail or the Internet in a retaliatory manner, is strictly prohibited by the Authority.

H. VEHICLE USE POLICY

Authority vehicles: Two pick-up trucks

Authority vehicles may only be used for legitimate Authority business. Authority vehicles include all automobiles, trucks, vans, or other self-propelled equipment owned, rented, or leased by the Authority and approved for travel on a public way.

Authority vehicles shall not be used to transport any individual who is not directly or indirectly related to Authority business. Passengers shall be limited to Authority employees and individuals who are directly associated with Authority work activity (committee members, consultants, contractors, etc.). Family members, tenants or private citizens shall not be transported in Authority vehicles.

The Authority shall not be liable for the loss or damage of any personal property stored or transported in the vehicle.

Employees are expected to keep Authority vehicles clean, and to immediately report any malfunction or damage, or accidents involving Authority vehicles, to their supervisors.

Employees must wear seatbelts in vehicles so equipped during operation of the vehicle. Employees may not operate Authority vehicles under the influence of alcohol, illegal drugs, marijuana, or prescription drugs or medications which may interfere with effective and safe operation. Employees may not store or transport alcohol, illegal drugs, marijuana, or prescription drugs or medication in Authority vehicles. If an employee needs to carry prescription medication with him/her at all times they must notify the Executive Director.

Employees who operate Authority vehicles must have a valid motor vehicle license issued by the state of their current residence, may be required to provide proof of valid motor vehicle license once every six (6) months, and may be subject to driving records checks

conducted through the Registry of Motor Vehicles.

Employees driving Authority vehicles shall obey all applicable traffic and parking regulations, ordinances, and laws. Employees who incur parking or other fines while using Authority vehicles shall be personally responsible for payment of such fines unless the payment of such fines by the Authority is approved by the Executive Director. Employees who are issued citations for any offense while using an Authority vehicle must notify their supervisor immediately when practicable, but in no case later than 24 hours. Failure to provide such notice may be grounds for disciplinary action, up to and including termination. An employee who is assigned an Authority vehicle and who is arrested for or charged with a motor vehicle offense for which the punishment includes suspension or revocation of the employee's motor vehicle license, whether in his or her personal vehicle or in an Authority vehicle, must notify his or her supervisor immediately when practicable, but in no case later than 24 hours. Conviction for such an offense may be grounds for loss of Authority vehicle privileges and/or further disciplinary action, up to and including termination.

Employees who are involved in an accident while operating an Authority vehicle may be required to undergo a drug (including marijuana) and/or alcohol test, and/or fitness for duty examination, in appropriate circumstances.

Should the Authority's insurer determine that an employee is "uninsurable," or otherwise refuses to insure an employee while driving an Authority vehicle, the employee may be reassigned, and/or subject to disciplinary action, up to and including termination.

No employee may use an Authority vehicle for out-of-state use without advance approval of the Executive Director or his/her designee.

Use of Personal Vehicles:

Employees required to use a personal vehicle to conduct Authority business may be required to show proof of minimum level of insurance coverage. All of the above provisions relative to the use of Authority vehicles apply equally to employees' use of personal vehicles while conducting official business.

In accordance with the Authority's Travel and Reimbursement Policy, where an employee uses a personal vehicle for Authority business, he/she shall be reimbursed reasonable mileage costs, at the maximum rate allowed by DHCD.

Employee Sign Off:

This acknowledges that I have received the _____ Housing Authority's Personnel Policies. By signing this form, I agree to abide by the Personnel Policies, and any Guidelines promulgated thereunder, and I agree to review periodically any changes or modifications.

I further acknowledge that I have received and reviewed the Authority's Anti-Discrimination and EEO Policy, as well as the Authority's Drug and Alcohol-Free Workplace Policy, both contained within the Personnel Policies.

I understand that the unlawful manufacture, distribution, dispensation, possession, or use of a controlled substance, marijuana, or alcohol is prohibited on any property of the Authority, or while performing official duties for the Authority, and violation of the Authority's Drug and Alcohol-Free Workplace Policy ("Policy") can subject me to disciplinary action, up to and including termination. I further understand that as a condition of employment, I must abide by the terms of this Policy and will notify my employer of any criminal drug conviction for a violation occurring in the workplace no later than five days after such conviction. I recognize that the law and associated Policy regarding drugs and alcohol in the workplace are continually evolving. Therefore, I understand that my regular review of this Policy, as it may be amended, is required.

Print Name: _____

Signature: _____

Date: _____

To be included in employee's personnel file.