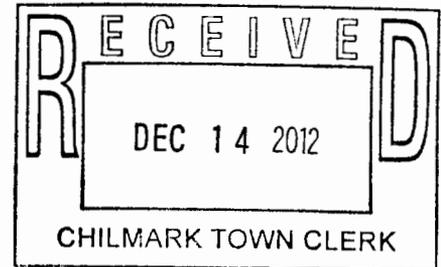


Human Resource Board of Chilmark
Town Hall
Chilmark, MA 02535



To: Board of Selectmen
From: Frank LoRusso for the Human Resources Board of Chilmark
Date: December 13, 2012
Re: Compensation for Training for Seasonal Employee

The Human Resources Board of Chilmark has learned that the Board of Selectmen agreed to underwrite the training costs related to the Beach Superintendent attaining her life saving certification, the Human Resource Board strongly recommends against this agreement for the below reasons:

1. The Beach Superintendent is a seasonal position. The Town's Human Resource Bylaw states "Seasonal Employees are not subject to, or have the benefits of, this Bylaw, except for those provisions relating to the Classification and Compensation Plans promulgated by the HRC for Seasonal Employees."
2. The Fair Labor Standards Act allows for the distinction of seasonal employees as opposed to regular full time employees.
3. The HRBC believes that for to pay for this training would be precedent setting and would open up the doors for other Seasonal Employees to make additional requests of this nature.
4. The HRBC considers the reimbursement of the superintendent's training to be in direct violation of the HRB Bylaws that were approved by the Town Meeting in 2011.
5. The HRBC considers this request to be an inappropriate use of Town Funds.
6. The Town does not reimburse for the Life Guard Certification of any other Beach employees all of whom are Seasonal Employees.

As a result the HRBC strongly recommends that you reconsider your decision that was made at your meeting of December 11, 2012.